



Arlington Zoning Board of Appeals

Date: Tuesday, June 28, 2022
Time: 7:30 PM
Location: Conducted by remote participation
Additional Details:

Agenda Items

Administrative Items

1. **Remote Participation Details**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.

Please read Governor Baker's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings: <https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download>

You are invited to a Zoom meeting.
When: Jun 28, 2022 07:30 PM Eastern Time (US and Canada)

Register in advance for this meeting:
<https://town-arlington-ma-us.zoom.us/join/tZlpce6tqjMqG9OPxnvNs5Vf25exaLr2H-Sa>
After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID: 864 6754 8017

Find your local number: <https://town-arlington-ma-us.zoom.us/join/adNWeNXzLr>

Dial by Location: 1-646-876-9923 US (New York)

Hearings

2. **Docket # 3700 : 38-40 Newport Street (continuance)**

Meeting Adjourn



Town of Arlington, Massachusetts

Docket # 3700 : 38-40 Newport Street (continuance)

ATTACHMENTS:

Type	File Name	Description
▣ Reference Material	ZBA_Package__38-40_Newport_Street.pdf	ZBA Package, 38-40 Newport Street
▣ Reference Material	3700_38-40_Newport_Street.pdf	3700_38-40 Newport Street
▣ Reference Material	RESD_NEWPORT_ST@38-40_(ARLINGTON__MA)_REV_SET_JUNE20-22.pdf	RESD NEWPORT ST@38-40 (ARLINGTON, MA)_REV SET_JUNE20-22



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Brandon Woolkalis & Kara Bolesky** of Arlington, Massachusetts on May 6, 2022, a petition seeking permission to alter their property located at **38-40 Newport Street- Block Plan 14000-0003-0012.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening June 14, 2022 at 7:30 P.M or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:**

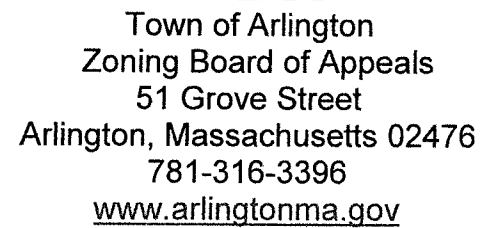
[https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9)

[upqDlrH9BzpU_mQMF2y5Ys20gtlBP9](https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtlBP9) **for documentation relating to this petition, visit the ZBA website at www.arlingtonma.gov/zba.**

DOCKET NO 3700

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**



Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Brandon Woolkalis & Kara Bolesky** of Arlington, Massachusetts on May 6, 2022, a petition seeking permission to alter their property located at **38-40 Newport Street- Block Plan 14000-0003-0012.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

https://town-arlington-ma-us.zoom.us/meeting/register/tJloc-upqDlrH9BzpU_mQMF2y5Ys20gtIBP9 for documentation relating to this petition, visit the ZBA website at www.arlingtonma.gov/zba.

Zoning Board of Appeals
Christian Klein, RA, Chair

4 of 36

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

TOWN CLERK'S OFFICE
ARLINGTON, MA 02174

2022 MAY -6 AM 9:10

In the matter of the Application of Brandon Woolkalis & Kara E. Bolesky
to the Zoning Board of Appeals for the Town of Arlington:

RECEIVED

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Seeking relief from the definition of usable open space .. specifically that no horizontal dimension shall be less than 25 ft.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 38-40 Newport Street with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

Due to the size and shape of the lot, a hardship exists with conforming to the definition of usable open space... specifically that no horizontal dimension shall be less than 25 ft.

E-Mail: bwoolkalis@yahoo.com Signed: Brandon Woolkalis Date: 04/27/2022
Telephone: 617-216-2000 Address: 12 Mystic Bank, Arlington, MA

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

The residential use is allowed in the R-2 District. We are seeking relief from the minimum
horizontal dimension of 25 ft. as part of the definition of usable open space.

B). Explain why the *requested use is essential or desirable to the public convenience or welfare.*

We do meet all of the requirements of the definition of usable open space including the 30% except
the existing and proposed do not meet the 25 ft horizontal dimension.

C). Explain why *the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*

The added floor area within the existing structure will not create any additional units, or traffic
congestions and will not impair pedestrian safety

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

The existing and future use is a two family dwelling which is allowed in an R-2 district. The
proposed construction will not create any overload to the municipal system or safety/health hazards.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

This project will not reduce the existing non-conformity of usable open space.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The property is surrounded by similar two family dwellings as allowed in this district.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The neighborhood consists of similar two family dwellings, similar lot sizes and similar usable open space challenges. The proposed project will not create an excess of the use.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 38-40 Newport Street Zoning District: R-2
2. Present Use/Occupancy: Residential No. of dwelling units 2
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
2406 Sq. Ft.
4. Proposed Use/Occupancy: Residential No. of dwelling units 2
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3834 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	5678	5678	min. 6000
7. Frontage (Ft.)	93.77	93.77	min. 60
8. Floor area ratio	n/a	n/a	max. n/a
9. Lot Coverage (%)	29.1	29.6	max 35
10. Lot Area per Dwelling Unit (Sq. Ft.)	n/a	n/a	min. n/a
11. Front Yard Depth (Ft.)	16.34	16.34	min. 20
12. Left Side Yard Depth (Ft.)	10.4	10.4	min. 10
13. Right Side Yard Depth (Ft.)	18.9	18.9	min. 20
14. Rear Yard Depth (Ft.)	34.6	34.6	min. 20
15. Height (Stories)	2.5	2.5	max. 2.5
16. Height (Ft.)	29.46	30.40	max. 35
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	2178	2178	
17A. Landscaped Open Space (% of GFA)	90.5	56.8	min.
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	1167	1167	
18A. Usable Open Space (% of GFA)	48.5	30.4	min.
19. Number of Parking Spaces	2	2	min. 2
20. Parking area setbacks (if applicable)	n/a	n/a	min. n/a
21. Number of Loading Spaces (if applicable)	n/a	n/a	min. n/a
22. Type of construction	wood	wood	N/A
23. Slope of proposed roof(s) (in. per ft.)	7/12 75%	7/12 208%	min.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 38-40 Newport Street Zoning District: R-2

<u>OPEN SPACE*</u>	<u>EXISTING</u>	<u>PROPOSED</u>
Total lot area	<u>5678</u>	<u>5678</u>
Open Space, Usable	<u>1167</u>	<u>1167</u>
Open Space, Landscaped	<u>2178</u>	<u>2178</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>0</u>	<u>0</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>0</u>	<u>931</u>
1 st Floor	<u>1099</u>	<u>1099</u>
2 nd Floor	<u>1142</u>	<u>1142</u>
3 rd Floor	<u>0</u>	<u>0</u>
4 th Floor	<u>0</u>	<u>0</u>
5 th Floor	<u>0</u>	<u>0</u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u>0</u>	<u>497</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u>0</u>	<u>0</u>
All weather habitable porches and balconies	<u>165</u>	<u>165</u>
Total Gross Floor Area (GFA)	<u>2406</u>	<u>3834</u>

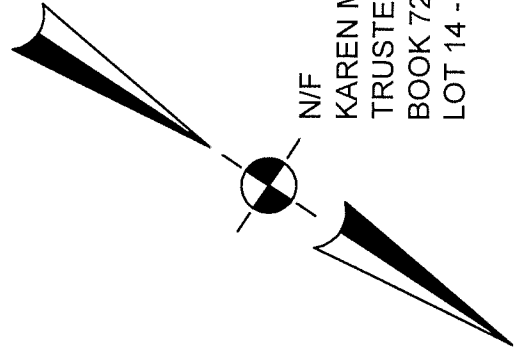
† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u>2178</u>	<u>2178</u>
Landscaped Open Space (% of GFA)	<u>90.5</u>	<u>56.8</u>
Usable Open Space (Sq. Ft.)	<u>1167</u>	<u>1167</u>
Usable Open Space (% of GFA)	<u>48.5</u>	<u>30.4</u>

This worksheet applies to plans dated 04/22/2022 designed by D&A Survey Associates, Inc.

Reviewed with Building Inspector: _____ Date: _____





N/F

KAREN M. GILLIS & ARTHUR C. GILLIS,
TRUSTEES OF THE GILLIS FAMILY TRUST
BOOK 72175 PAGE 599
LOT 14 - PLAN BOOK 327 PLAN 15

NO. 77 HIGHLAND AVENUE

S 56°52'04" W 51.16'

LOT 1

A = 5678 SF

GARAGE

S = 1.20%

S = 0.48%

N/F

THOMAS A. ADAMS &
TAESON J. ADAMS
BOOK 32727 PAGE 159
LOT 12 - PLAN BOOK 327 PLAN 15

NO 34-36 NEWPORT STREET

NO 34-36 NEWPORT STREET

TOP FDN: 100.65
TOP FIRST FLOOR: 101.77
PEAK (EXIST): 129.11
PEAK (PROP): 130.05
AVG. GRADE: 99.65
HEIGHT (PROP): 30.40'

N 42°37'57" W 72.08'

20.91'

2 1/2 STORY

NO. 38-40

2ND FL. OVHG.

2 STY PORCH

2ND FL. OVHG.

2 STY PORCH

2ND FL. OVHG.

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2ND FL. OVHG.

2 STY PORCH

2ND FL. OVHG.

2 STY PORCH

2ND FL. OVHG.

S 33°10'50" E 100.25'

467.83'

SB/DH FND

N 56°49'10" E 38.34'

SB/DH FND

R = 25.00'

GRANITE CURB

BENCHMARK:

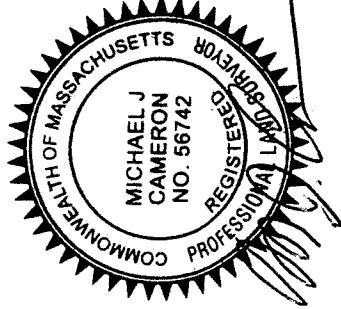
TOP SB: ELEV. = 100.00

NEWPORT STREET (PUBLIC 40.00' WIDE)

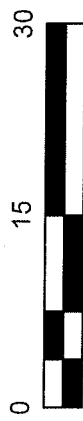
GRAY STREET (PUBLIC 50.00' WIDE)

NOTES:

- 1.) THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY
- 2.) RECORD OWNER: BRANDON WOOLKALIS & KARA E. BOLESKY
- 3.) DEED REFERENCE: BOOK 79547 PAGE 466
- 3.) PLAN REFERENCE: PLAN BOOK 327 PLAN 15
- 5.) OPEN SPACE REQUIRED: 30% OF 3834 SF = 1150 SF
OPEN SPACE PROVIDED: 1167 SF
- 6.) PROPOSED HEIGHT: 30.40'
- 7.) THE LOT SLOPES 3.84%
- 8.) AVERAGE GRADE = TOP OF CURB = 99.59



PLOT PLAN
IN
ARLINGTON, MA
38-40 NEWPORT STREET



SCALE: 1" = 15'-0"

APRIL 22, 2022

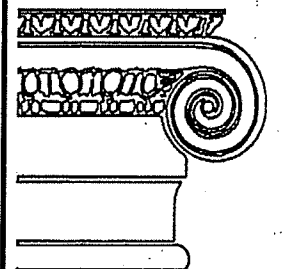
D & A SURVEY ASSOCIATES, INC.
P.O. BOX 621 MEDFORD, MA 02155
(781) 324 - 9566

NEW ADDITION TO EXISTING TWO FAMILY 38-40 NEWPORT STREET, ARLINGTON, MA

INDEX OF DRAWINGS

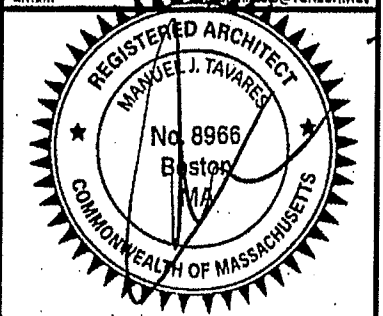
T-1	TITLE SHEET/ ARCHITECTURAL DATA
A-1	BASEMENT FLOOR PLAN
A-1.1	FIRST FLOOR PLAN
A-1.2	SECOND FLOOR PLAN
A-1.3	ATTIC PLAN
A-1.4	ROOF PLAN
A-2	FRONT ELEVATION
A-2.1	RIGHT SIDE ELEVATION
A-2.2	REAR ELEVATION
A-2.3	LEFT SIDE ELEVATION
A-3	PARTIAL BUILDING SECTION

#	REVISIONS	DATE



MLTAVARES
ARCHITECTS

200 Broadway Suite 104 Lynnfield, MA 01940
Phone: 781-595-8400 Fax: 781-595-8300
Email: mltarchitects@verizon.net



PREPARED FOR:

MR. BRANDON WOOLKALIS

ADDRESS:

**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:

**ARCHITECTURAL
DATA SHEET**

SCALE:

GIVEN

DATE:
04/13/2022

DRAWN BY:
J.T.

CHECKED BY:
MJT

PROJECT #:
222-19

T = 1

GENERAL NOTES:

- 1. TYPICAL INTERIOR WALLS SHALL BE 2"x4" @16" O.C. W/ 1/2" G.W.B., 1/2" CDX FLY, AND SIDING
- 2. DIMENSIONS SHOWN ARE TO THE FACE OF STUD, UNLESS OTHERWISE NOTED.

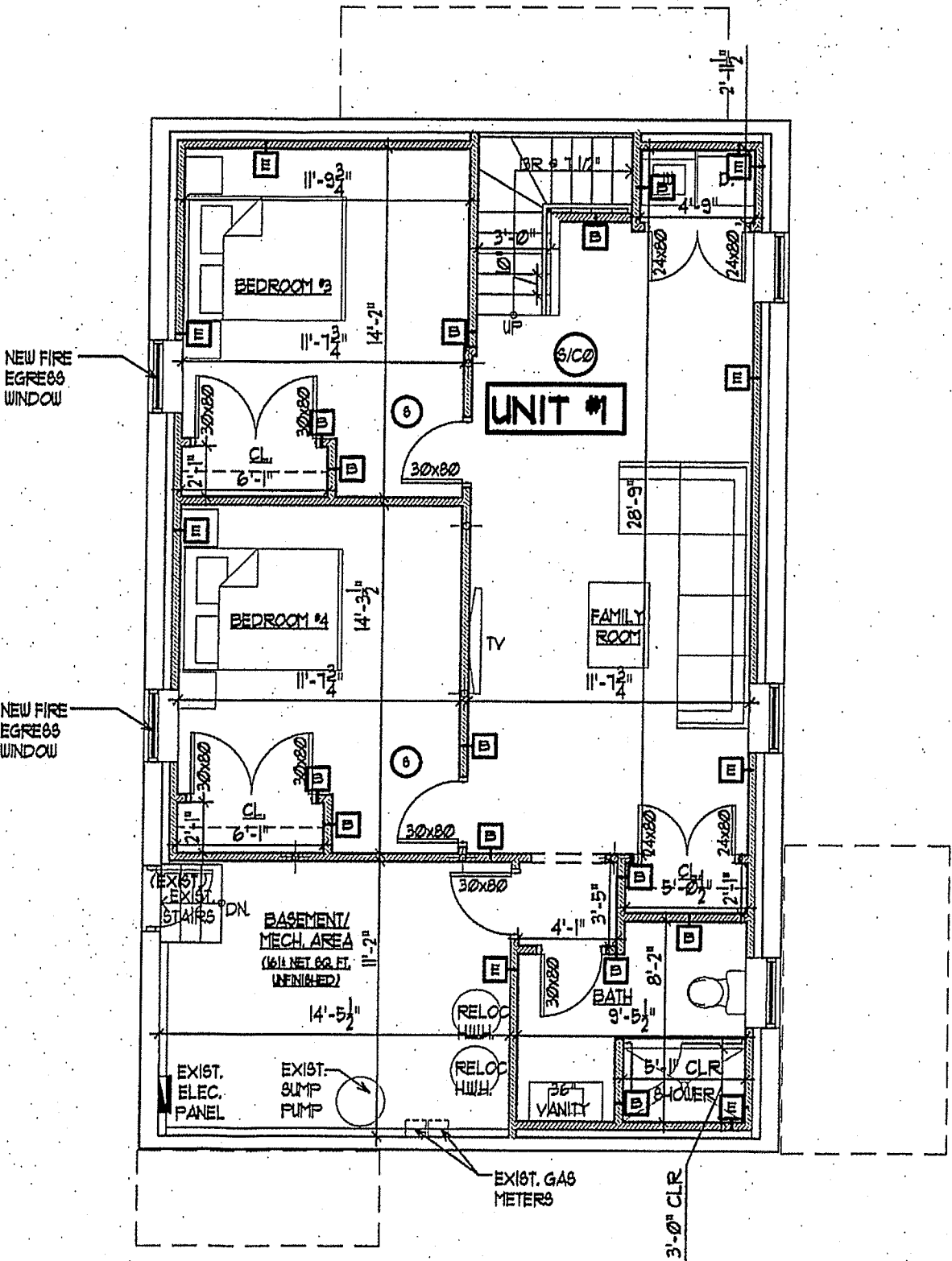
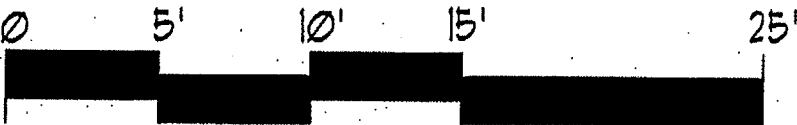
LEGEND:

- A EXTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B., 1/2" CDX FLY, AND SIDING
- B INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- C INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
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- E INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- EXISTING WALLS

LIFE SAFETY LEGEND

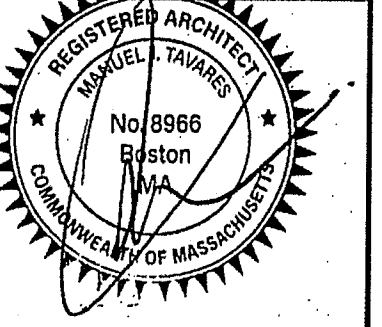
- S SMOKE DETECTOR
- S/CO COMBO SMOKE AND CARBON MONOXIDE DETECTOR

BASEMENT FLOOR PLAN: 740± NET SQ. FT.
GRAPHIC SCALE:



#	REVISIONS	DATE

MITAVARES ARCHITECTS
200 Broadway Suite 104 Lynnfield, MA 01940
Phone: 781-595-8400 Fax: 781-595-8300
Email: mitarchitects@verizon.net



PREPARED FOR:
MR. BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
**BASEMENT
FLOOR PLAN**

SCALE: GIVEN	A=1
DATE: 04/13/2022	
DRAWN BY: J.T.	
CHECKED BY: MJT	
PROJECT #: 222-19	

GENERAL NOTES:

- 1. TYPICAL INTERIOR WALLS SHALL BE 2"x4" WOOD STUD @16" O.C. WITH 1/2" GYPSUM WALL BOARD, UNLESS OTHERWISE NOTED.
- 2. DIMENSIONS SHOWN ARE TO THE FACE OF STUD, UNLESS OTHERWISE NOTED.

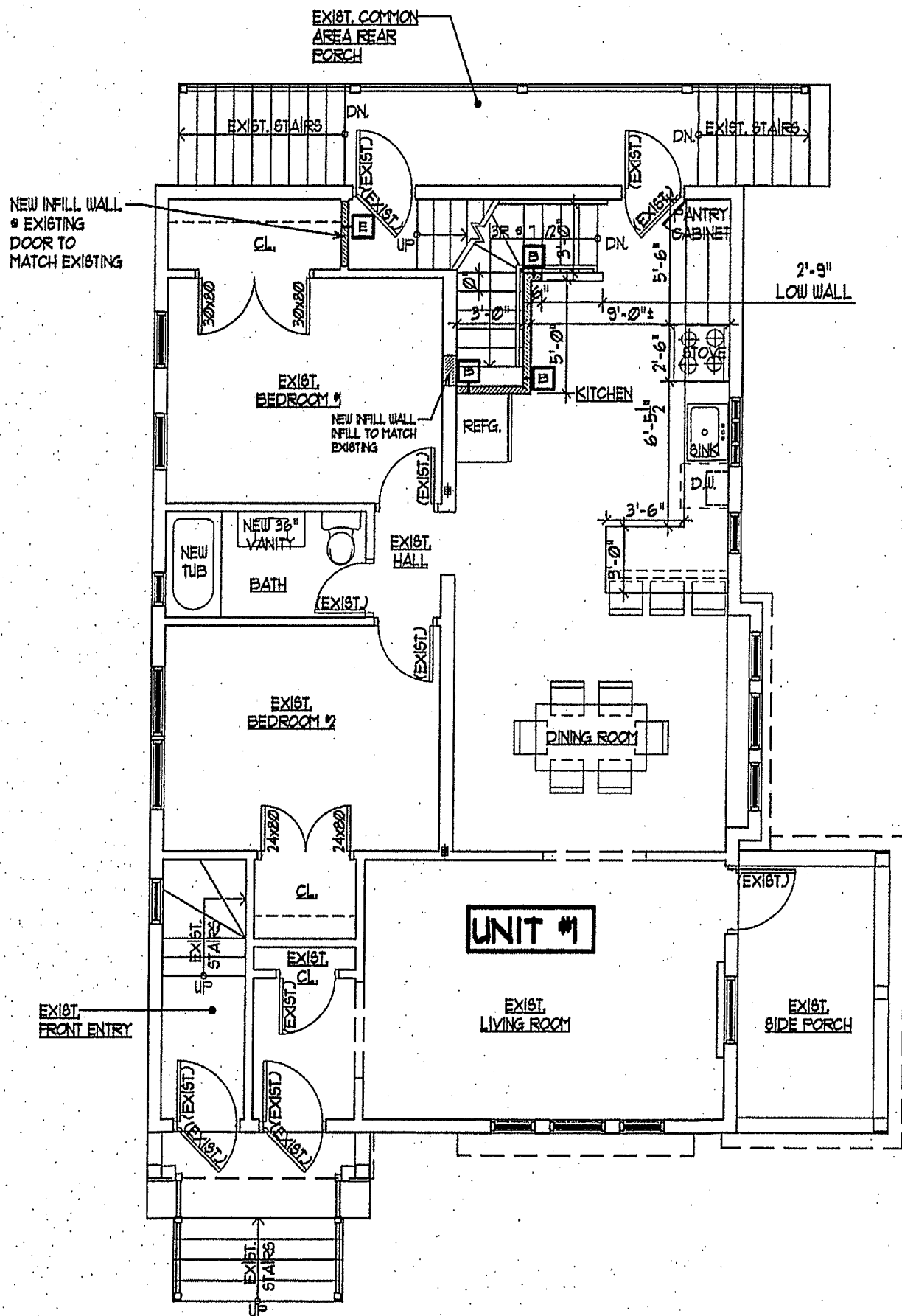
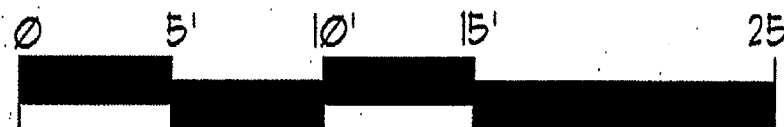
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- E INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- EXISTING WALLS

LIFE SAFETY LEGEND

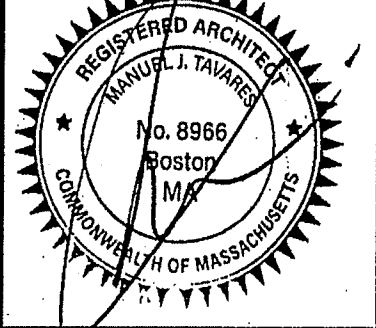
- S SMOKE DETECTOR
- S/CO COMBO SMOKE AND CARBON MONOXIDE DETECTOR

FIRST FLOOR PLAN: 999± NET SQ. FT.
GRAPHIC SCALE:



#	REVISIONS	DATE

M. J. TAVARES
ARCHITECTS
200 Broadway Suite 104 Lynnfield, MA 01940
Phone: 781-595-8400 Fax: 781-595-8300
Email: mjtarchitects@verizon.net



PREPARED FOR:
MR BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
**FIRST FLOOR
PLAN**

SCALE:	GIVEN
DATE:	04/13/2022
DRAWN BY:	J.T.
CHECKED BY:	MJT
PROJECT #:	222-19

A-1.1

GENERAL NOTES:

- 1. TYPICAL INTERIOR WALLS SHALL BE 2"x4" WOOD STUD @16" O.C. WITH 1/2" GYPSUM WALL BOARD, UNLESS OTHERWISE NOTED.
- 2. DIMENSIONS SHOWN ARE TO THE FACE OF STUD, UNLESS OTHERWISE NOTED.

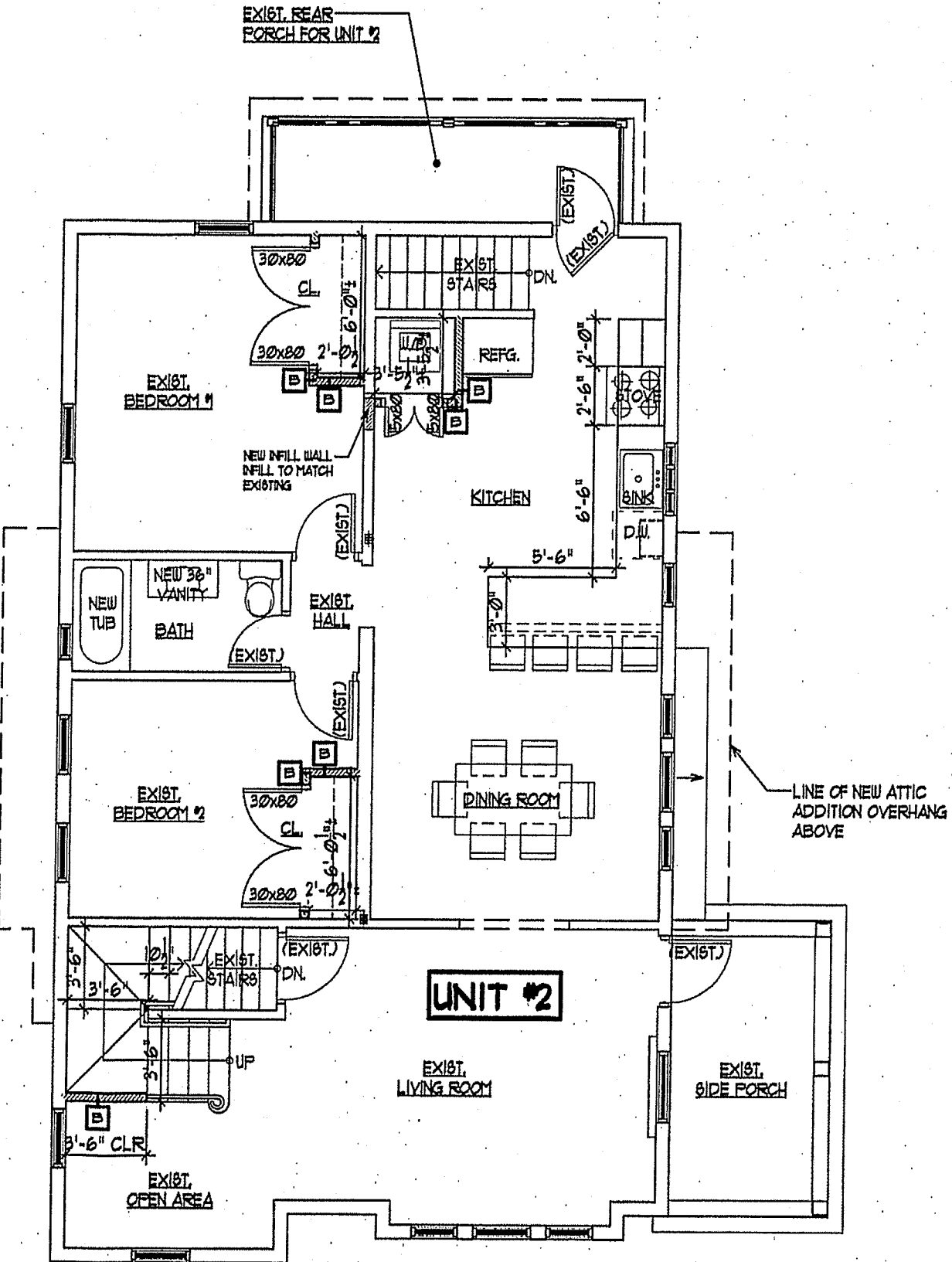
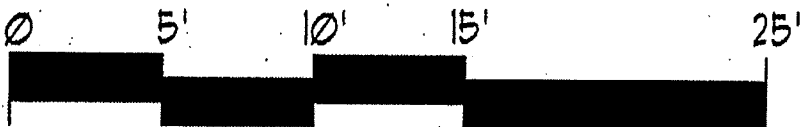
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- EXISTING WALLS

LIFE SAFETY LEGEND

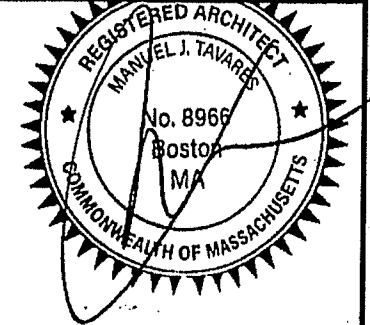
- S SMOKE DETECTOR
- S/CO COMBO SMOKE AND CARBON MONOXIDE DETECTOR

SECOND FLOOR PLAN: 1,046± NET SQ. FT.
GRAPHIC SCALE:



#	REVISIONS	DATE

M. TAVARES ARCHITECTS
200 Broadway Suite 104 Lynnfield, MA 01940
Phone: 781-595-8400 Fax: 781-595-8300
Email: mtav@verizon.net



PREPARED FOR:
MR BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
**SECOND FLOOR
PLAN**

DATE 04/13/2022	A-1.2
DRAWN BY J.T.	
CHECKED BY M.T.	
PROJECT # 222-13	

GENERAL NOTES:

- 1. TYPICAL INTERIOR WALLS SHALL BE 2"x4" WOOD STUD @16" O.C. WITH 1/2" GYPSUM WALL BOARD, UNLESS OTHERWISE NOTED.
- 2. DIMENSIONS SHOWN ARE TO THE FACE OF STUD, UNLESS OTHERWISE NOTED.

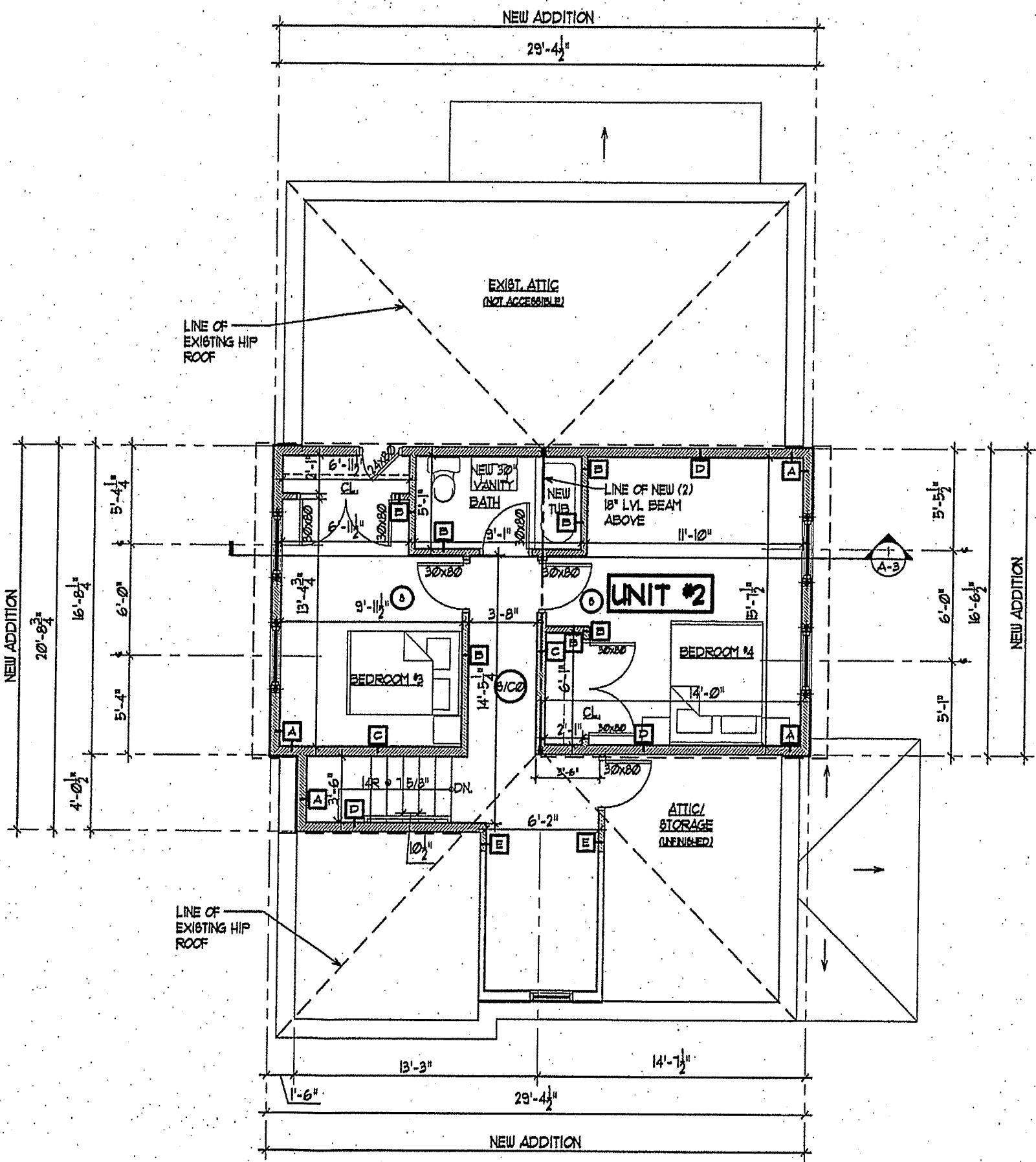
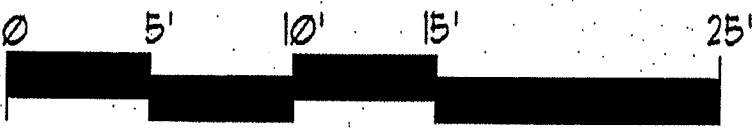
LEGEND:

- A EXTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B., 1/2" CDX FLY, AND SIDING
- B INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- C INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- D INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- E INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- EXISTING WALLS

LIFE SAFETY LEGEND

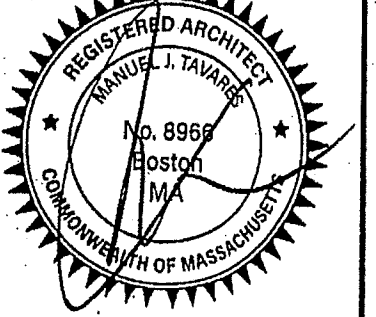
- S SMOKE DETECTOR
- S/CO COMBO SMOKE AND CARBON MONOXIDE DETECTOR

ATTIC FLOOR PLAN: 560± NET SQ. FT.
GRAPHIC SCALE:



#	REVISIONS	DATE

MLTAVARES ARCHITECTS
200 Broadway Suite 104 Lynnfield, MA 01940
Phone: 781-595-8400 Fax: 781-595-8300
Email: mltarchitects@verizon.net



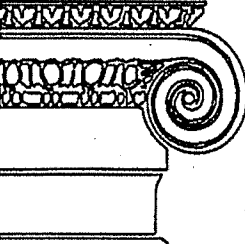
PREPARED FOR:
MR BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

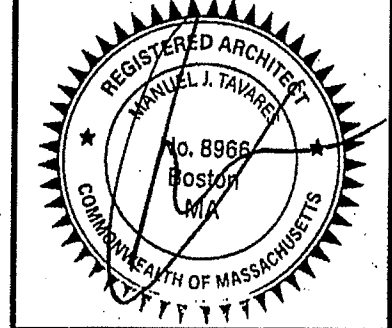
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ATTIC FLOOR PLAN

SCALE	GIVEN	A=1.3
DATE	04/13/2022	
DRAWN BY	J.T.	
CHECKED BY	MJT	
PROJECT #	222-19	

#	REVISIONS	DATE



MLTAVARES ARCHITECTS
 200 Broadway Suite 104 Lynnfield, MA 01940
 Phone: 781-595-8400 Fax: 781-595-8300
 Email: mltarchitects@verizon.net

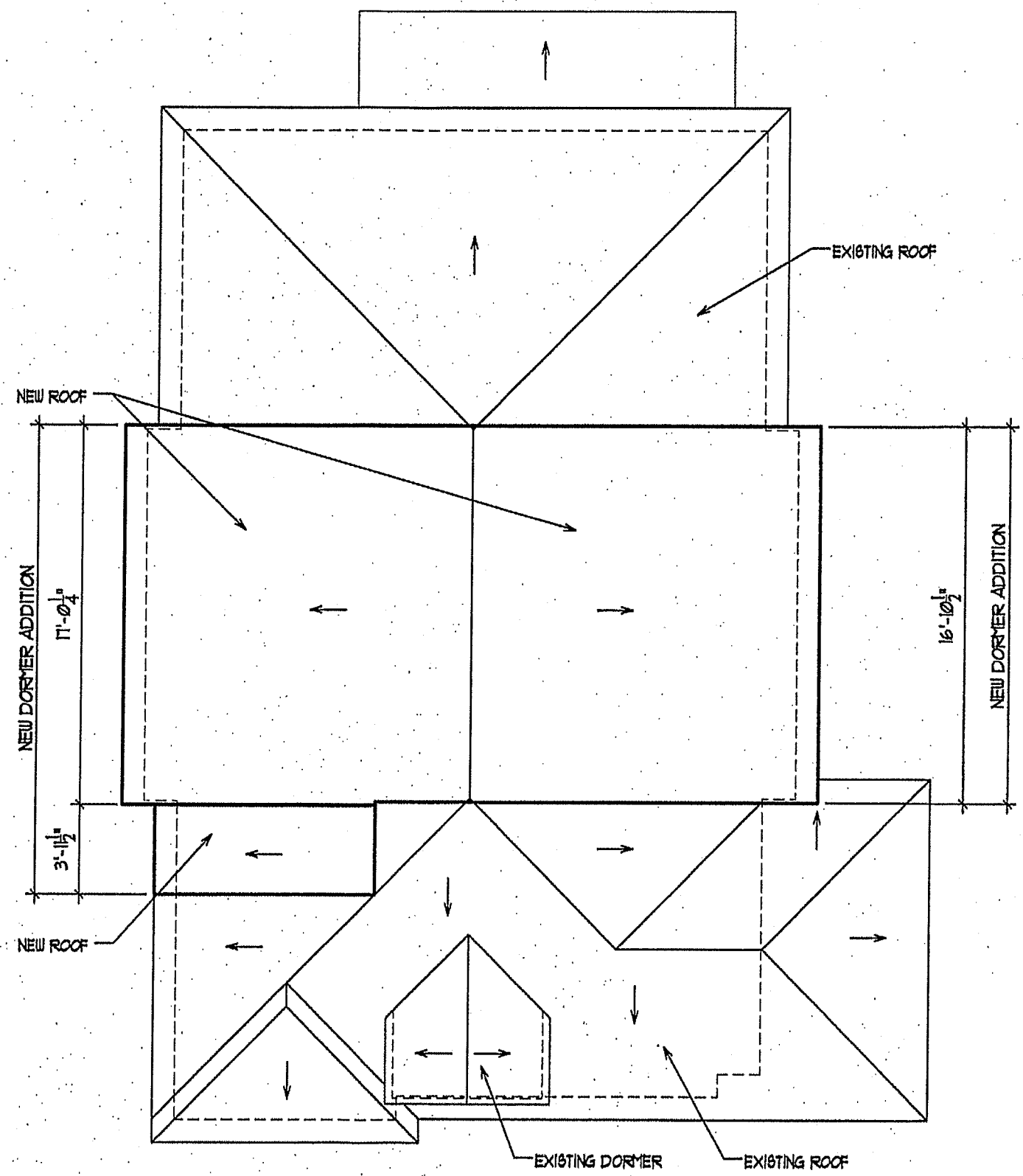


PREPARED FOR:
MR. BRANDON WOOLKALIS

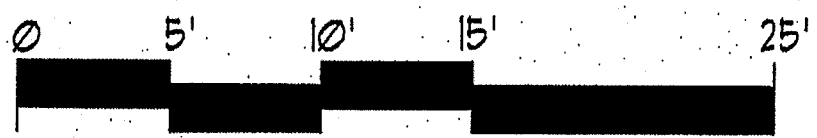
ADDRESS:
**38-40 NEWPORT STREET
 ARLINGTON, MA**

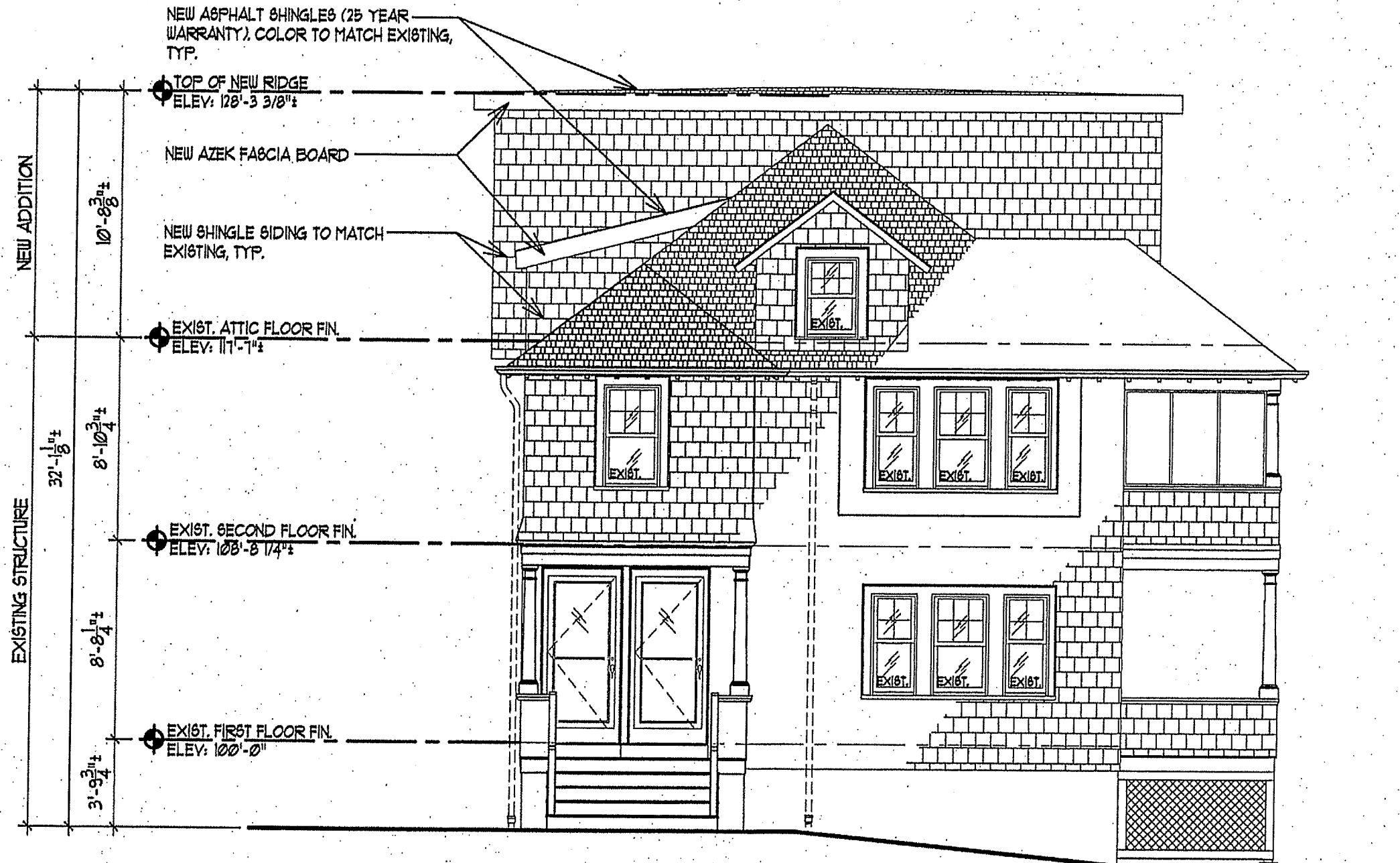
DRAWING TITLE:
ROOF PLAN

SCALE: GIVEN	A-1.4
DATE: 04/13/2022	
DESIGNED BY: J.T.	
CHECKED BY: MJT	
PROJECT #: 222-19	



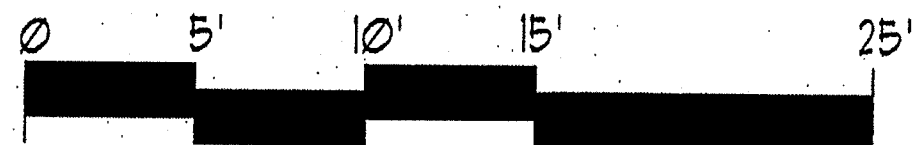
ROOF PLAN
 GRAPHIC SCALE:





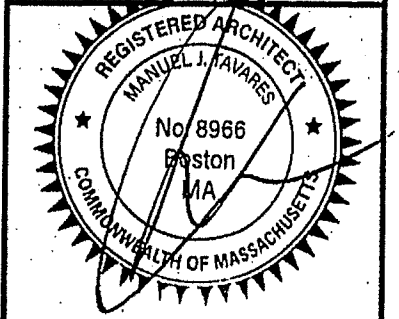
WEST ELEVATION:

GRAPHIC SCALE:



#	REVISIONS	DATE

M. TAVARES ARCHITECTS
 200 Broadway Suite 104 Lynnfield, MA 01940
 Phone: 781-595-8400 Fax: 781-595-8300
 Email: mtarchitects@verizon.net



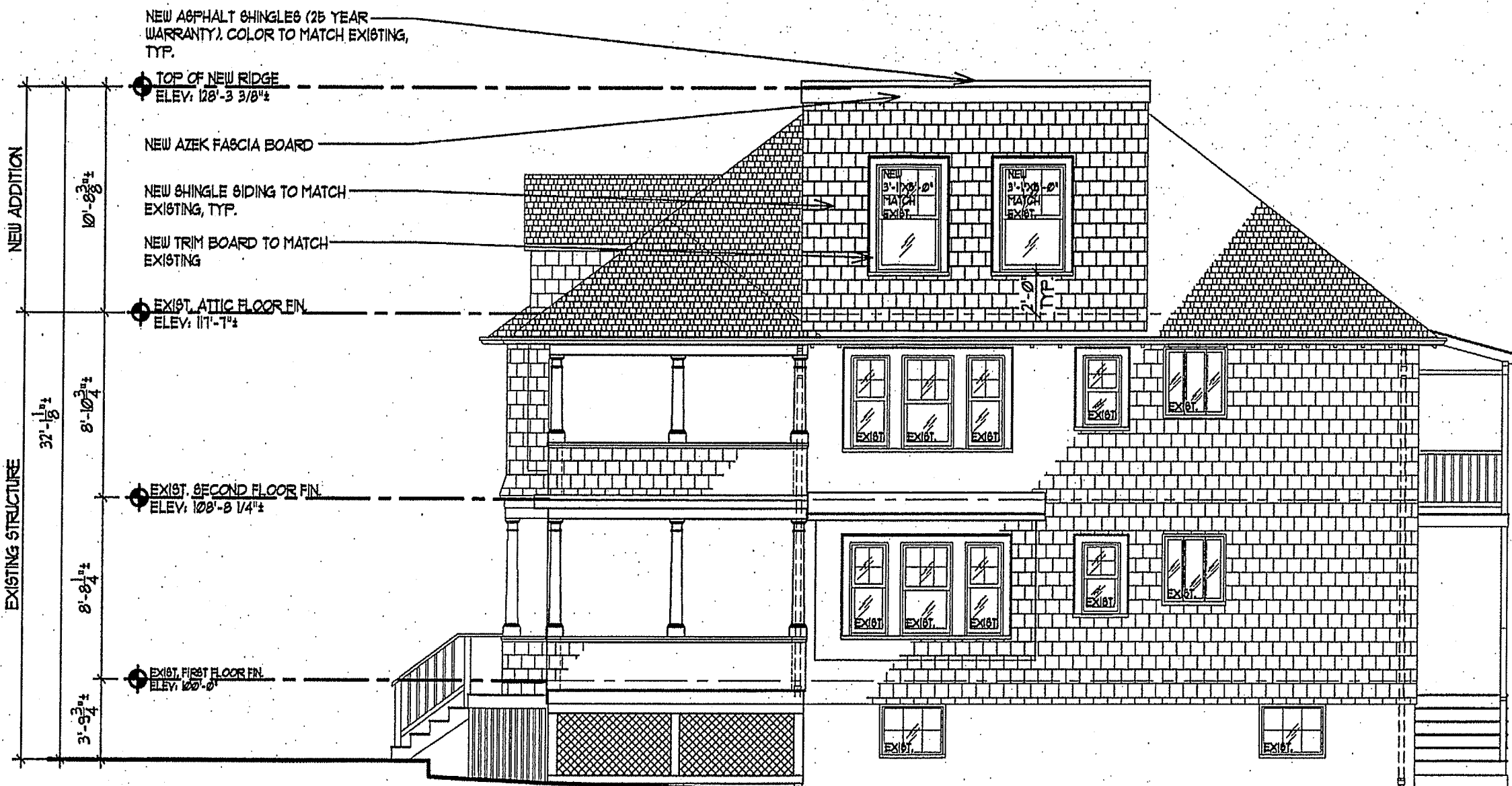
PREPARED FOR:
MR BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
 ARLINGTON, MA**

DRAWING TITLE:
**WEST
 ELEVATION**

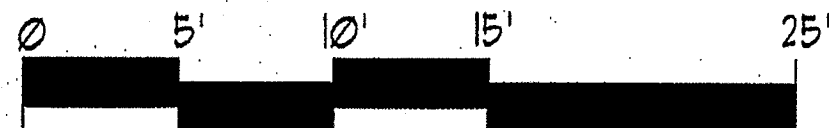
SOLES GIVEN	A=2
DATE: 04/13/2022	
DRAWN BY: J.T.	
CHECKED BY: MJT	
PROJECT #: 222-19	

1	WEST ELEVATION:
1/8" = 1'-0"	@ FRONT ELEVATION

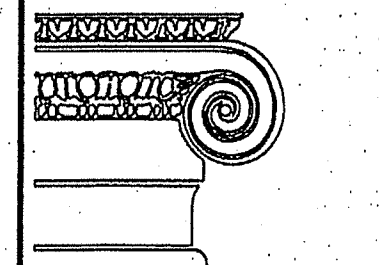


SOUTH ELEVATION:

GRAPHIC SCALE:

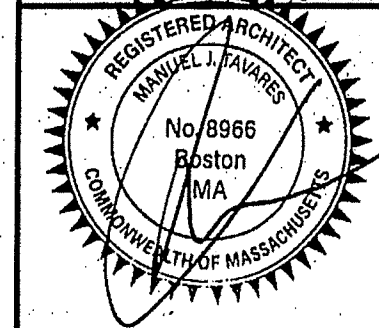


#	REVISIONS	DATE



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Email: mtavarchitects@verizon.net



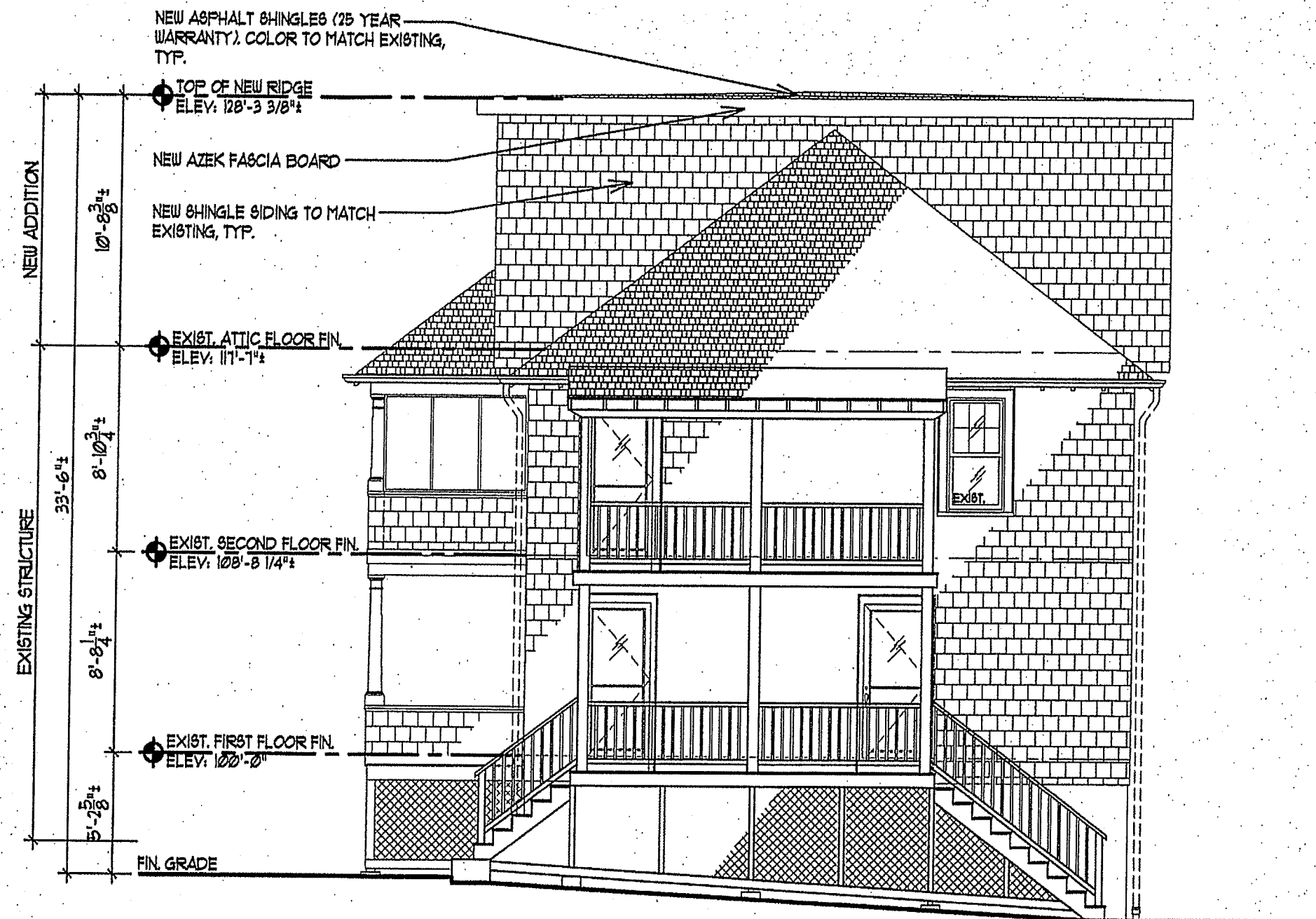
PREPARED FOR:
MR BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
**SOUTH
ELEVATION**

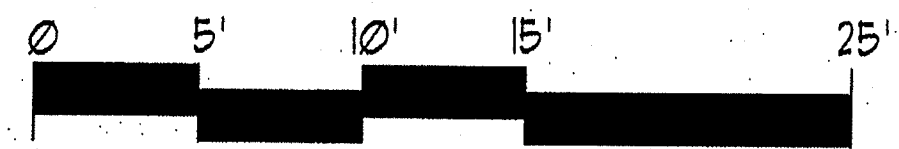
SCALE: GIVEN	A-2.1
DATE: 04/15/2022	
DRAWN BY: J.T.	
CHECKED BY: MJT	
PROJECT #: 222-19	

1	SOUTH ELEVATION:	
1/8" = 1'-0"	@ RIGHT SIDE ELEVATION	18 of 36



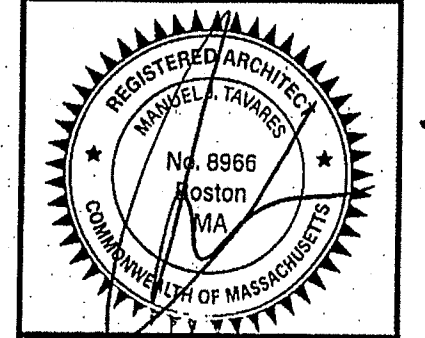
EAST ELEVATION:

GRAPHIC SCALE:



#	REVISIONS	DATE

M. J. TAVARES ARCHITECTS
 200 Broadway Suite 104 Lynnfield, MA 01940
 Phone: 781-595-8400 Fax: 781-595-8300
 Email: mjtarchitects@verizon.net



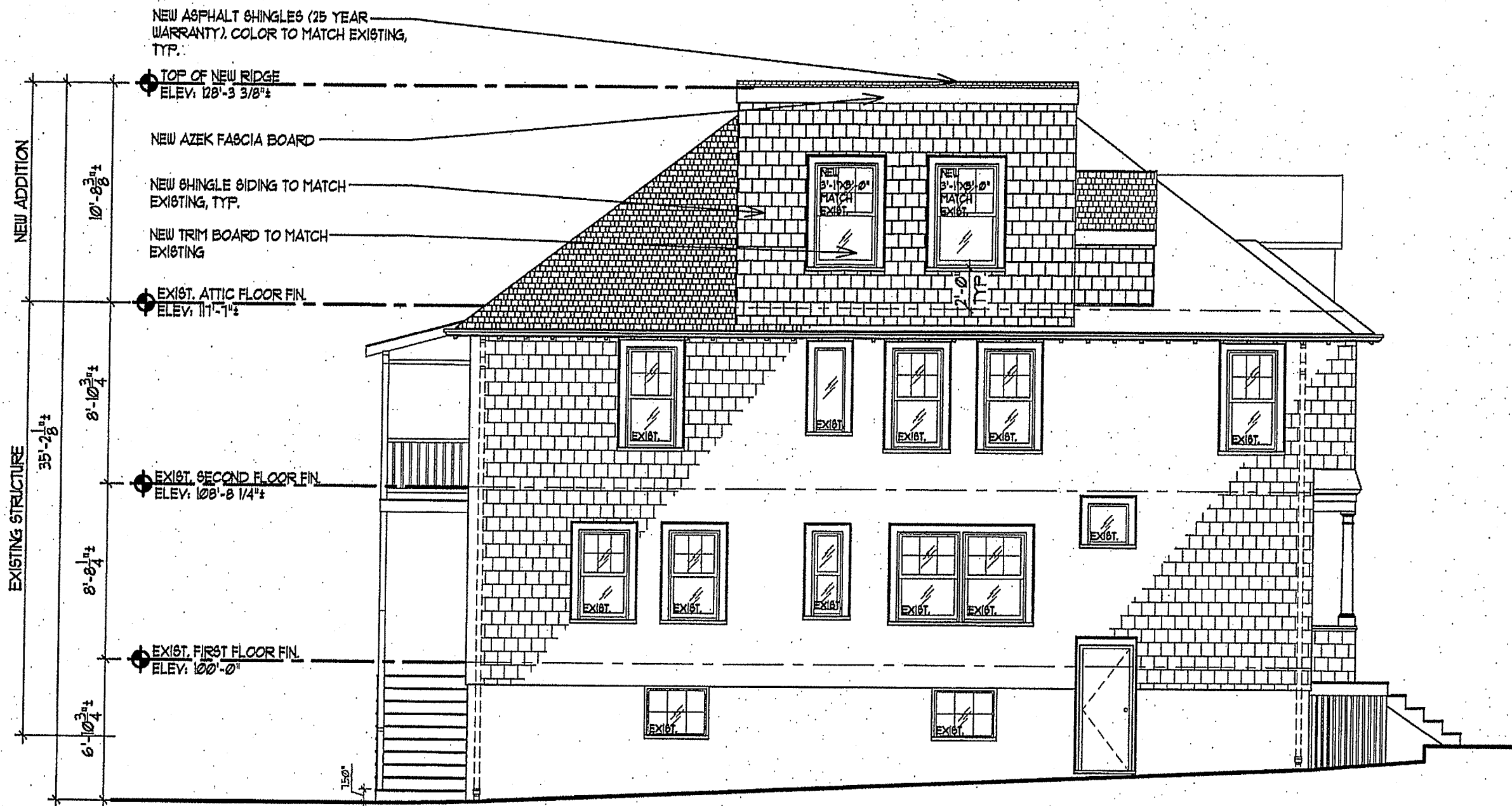
PREPARED FOR:
MR. BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
 ARLINGTON, MA**

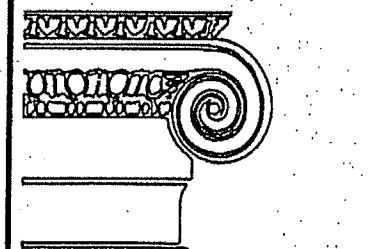
DRAWING TITLE:
**EAST
 ELEVATION**

SCALE	GIVEN	A-2.2
DATE	04/15/2022	
DRAWN BY	J.T.	
CHECKED BY	MJT	
PROJECT #	222-19	

1	EAST ELEVATION:
1/8" = 1'-0"	@ REAR ELEVATION

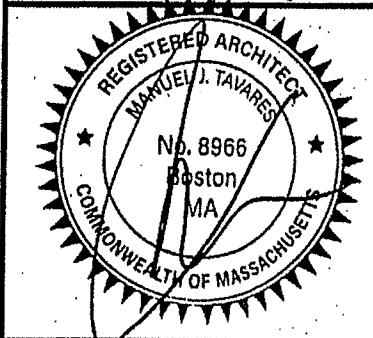


#	REVISIONS	DATE



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ARCHITECTS

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Email: mjtarchitects@verizon.net



PREPARED FOR:
MR. BRANDON WOOLKALIS

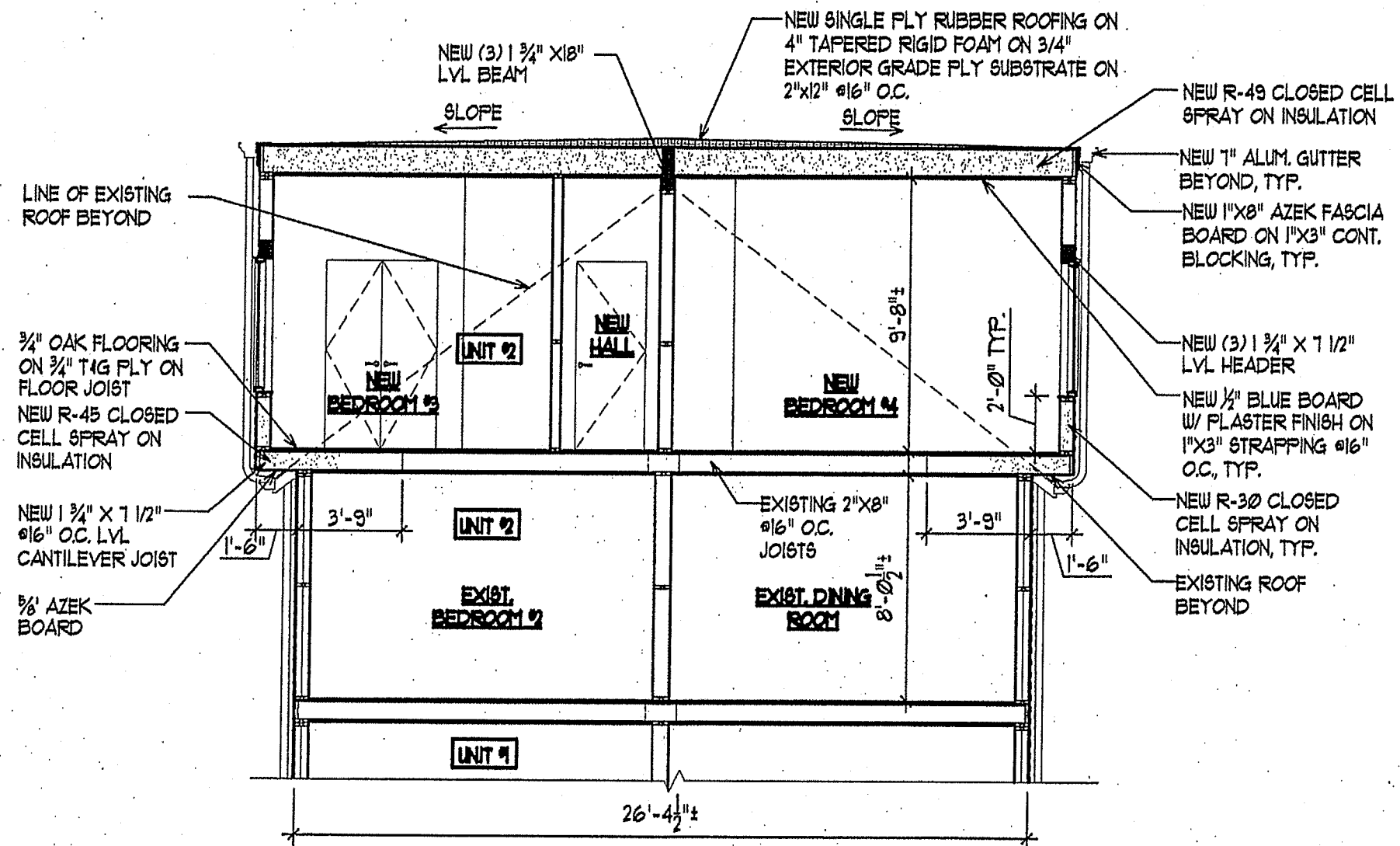
ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
**NORTH
ELEVATION**

SCALE:	GIVEN
DATE:	04/15/2022
DRAWN BY:	J.T.
CHECKED BY:	MJT
PROJECT #:	222-19

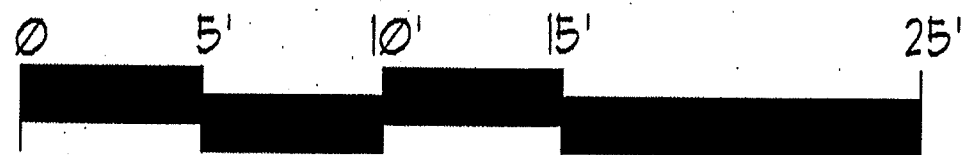
A-2.3

1	NORTH ELEVATION:
1/8" = 1'-0"	@ LEFT SIDE ELEVATION



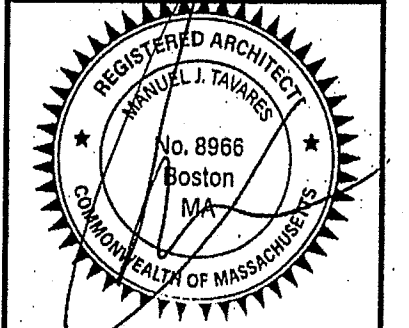
PARTIAL BUILDING SECTION

GRAPHIC SCALE:



#	REVISIONS	DATE

MLTAVARES ARCHITECTS
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 Email: mltarchitects@verizon.net



PREPARED FOR:
MR. BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
 ARLINGTON, MA**

DRAWING TITLE:
**PARTIAL
 BUILDING SECTION**

SCALE: GIVEN	A-3
DATE: 04/15/2022	
DRAWN BY: J.T.	
CHECKED BY: MJT	
PROJECT #: 222-19	



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Kelly Lynema, Acting Director, Dept. of Planning and Community Development
Marisa Lau, Senior Planner
Date: 6/10/2022
RE: Docket 3700 – 38-40 Newport St; Special Permit under Zoning Bylaw 8.1.3.B -
Nonconforming Single-Family or Two-Family Dwellings

The applicants, Brandon Woolkalis and Kara Bolesky, seek a Special Permit in accordance with Section 8.1.3.B - Nonconforming Single-Family or Two-Family Dwellings of the Zoning Bylaw. The applicants seek to construct an addition of two shed dormers for a two-family home, increasing the height to 30.40 feet (+0.94 feet) and make other interior renovations. The proposal would add a half story with 497 square feet of additional living space while the total square footage of the structure would increase from 2,406 SF to 3,834 SF (+1,428 SF).

The structure is on a corner lot in the R2 Zoning District and is nonconforming with the Zoning Bylaw's lot size; frontage; front yard; and usable open space requirements. The applicant is not increasing the footprint of the existing structure. The addition would not increase any of the nonconformities of the existing structure.

A half story is defined in Section 2 (Definitions) of the Zoning Bylaw as "a story which is under a gable, hipped, gambrel or other sloped roof with a minimum slope of 2:12, where less than one half of the floor area measured from the underside of the roof framing to the finished floor below has a clear height of 7 feet 0 inches or more." The slope of the proposed dormer is ¼:12, which is less than the minimum allowable roof slope under the half story definition, which would create a new nonconformity.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted through a Special Permit in the R2 zoning district only if the proposal complies with the definition of a half story.

Criterion #2: Public Convenience/Welfare

This proposal would provide additional living space to the upper unit. Staff note the applicant did not describe why the additional space is needed or whether the unit is occupied.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

There would not be an undue burden on municipal systems.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

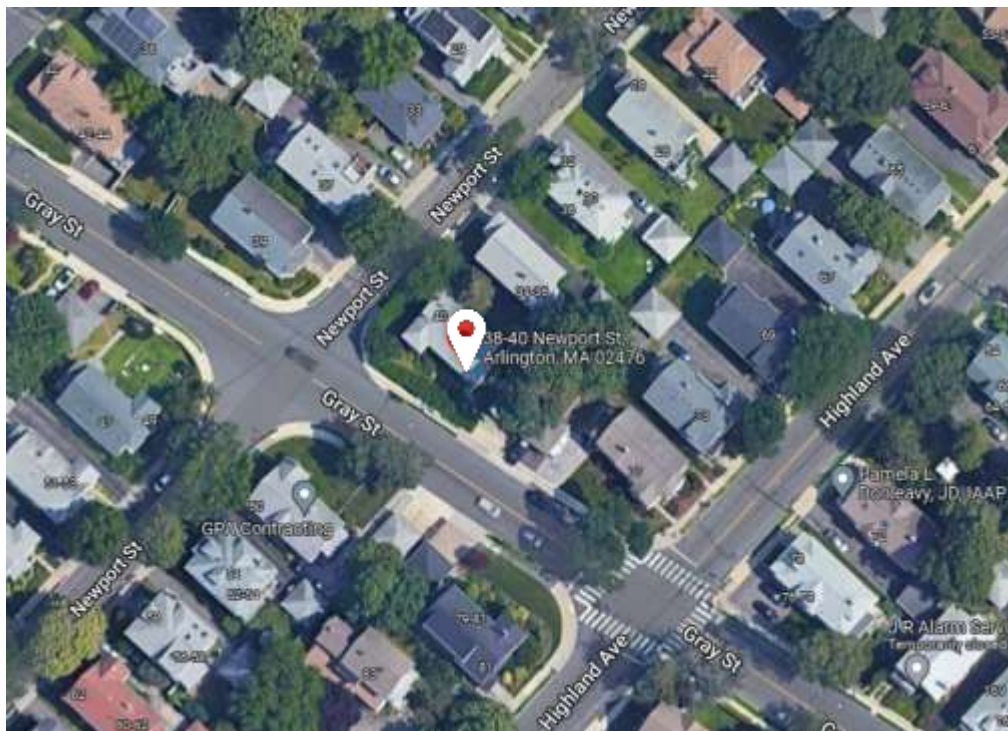
Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

The homes in the immediate vicinity of the property are two-family structures. Large dormers in a variety of styles are a common feature in the neighborhood, especially along Newport Street and Highland Avenue. The addition includes two large dormers and a small dormer for the stairwell, along with other interior renovations to increase the living area in the lower unit. The proposed change in building height and roof lines will increase the structure's massing and scale. The applicant is encouraged to explore other designs that would make the dormer a less dominant feature of the roof and better match the existing roof type and pitch, as well as the style of the existing house.¹ The applicant may also consider the potential for minor adjustments to the location and size of the dormer windows to better align and order them with the window pattern on lower levels.

Criterion #7: Detrimental Excess in Particular Use

There would not be any detrimental excesses.

Below are aerial and street-based photos of the current building:



¹ Residential Design Guidelines, Principles B-1 (pg. 26) and C-1 (pg. 36).
<https://www.arlingtonma.gov/home/showpublisheddocument?id=54518>





Recommendation:

The Department of Planning and Community Development (DPCD) recommends that the applicant adjust the slope of the roof to no less than 2:12 to conform with the definition of a half story.

Related dockets:

- #3698: 39 Tufts St – Applicant sought a special permit to expand their existing attic with an addition of two dormers and roof replacement on a two-family structure on a nonconforming lot in the R1 Zoning District. Approved 5/24/2022.
- #3666: 14-16 Egerton Rd – Applicant sought a special permit to construct a half-story addition by expanding their existing attic with a shed dormer and to add a second driveway on a two-family structure on a nonconforming lot in the R2 Zoning District. Approved 10/12/2021.
- #3655: 34 Marathon St – Applicant sought a special permit to construct an addition of two shed dormers on the third level of a two-family structure on a nonconforming lot in the R2 Zoning District. Approved with conditions on 5/25/2021.
- #3652: 41-43 Fairmont St – Applicant sought a special permit to create an addition via a shed dormer on a two-family structure on a nonconforming lot in the R2 Zoning District. Approved with conditions on 4/13/2021.

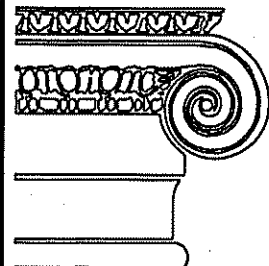
NEW ADDITION TO EXISTING TWO FAMILY

38-40 NEWPORT STREET, ARLINGTON, MA

INDEX OF DRAWINGS

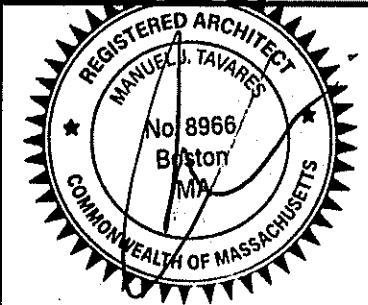
T-1	TITLE SHEET/ ARCHITECTURAL DATA
A-1	BASEMENT FLOOR PLAN
A-1.1	FIRST FLOOR PLAN
A-1.2	SECOND FLOOR PLAN
A-1.3	ATTIC PLAN
A-1.4	ROOF PLAN
A-2	FRONT ELEVATION
A-2.1	RIGHT SIDE ELEVATION
A-2.2	REAR ELEVATION
A-2.3	LEFT SIDE ELEVATION
A-3	PARTIAL BUILDING SECTION

#	REVISIONS	DATE
1	VARIOUS CHANGES	06/11/2022



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ARCHITECTS

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Email: mjtarchitects@verizon.net



PREPARED FOR:
MR. BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
**ARCHITECTURAL
DATA SHEET**

SCALE:	GIVEN
DATE:	06/16/2022
DRAWN BY:	J.T.
CHECKED BY:	MJT
PROJECT #:	222-19

T = 1

GENERAL NOTES:

- 1. TYPICAL INTERIOR WALLS SHALL BE 2"x4" WOOD STUD @16" O.C. WITH 1/2" GYPSUM WALL BOARD, UNLESS OTHERWISE NOTED.
- 2. DIMENSIONS SHOWN ARE TO THE FACE OF STUD, UNLESS OTHERWISE NOTED.

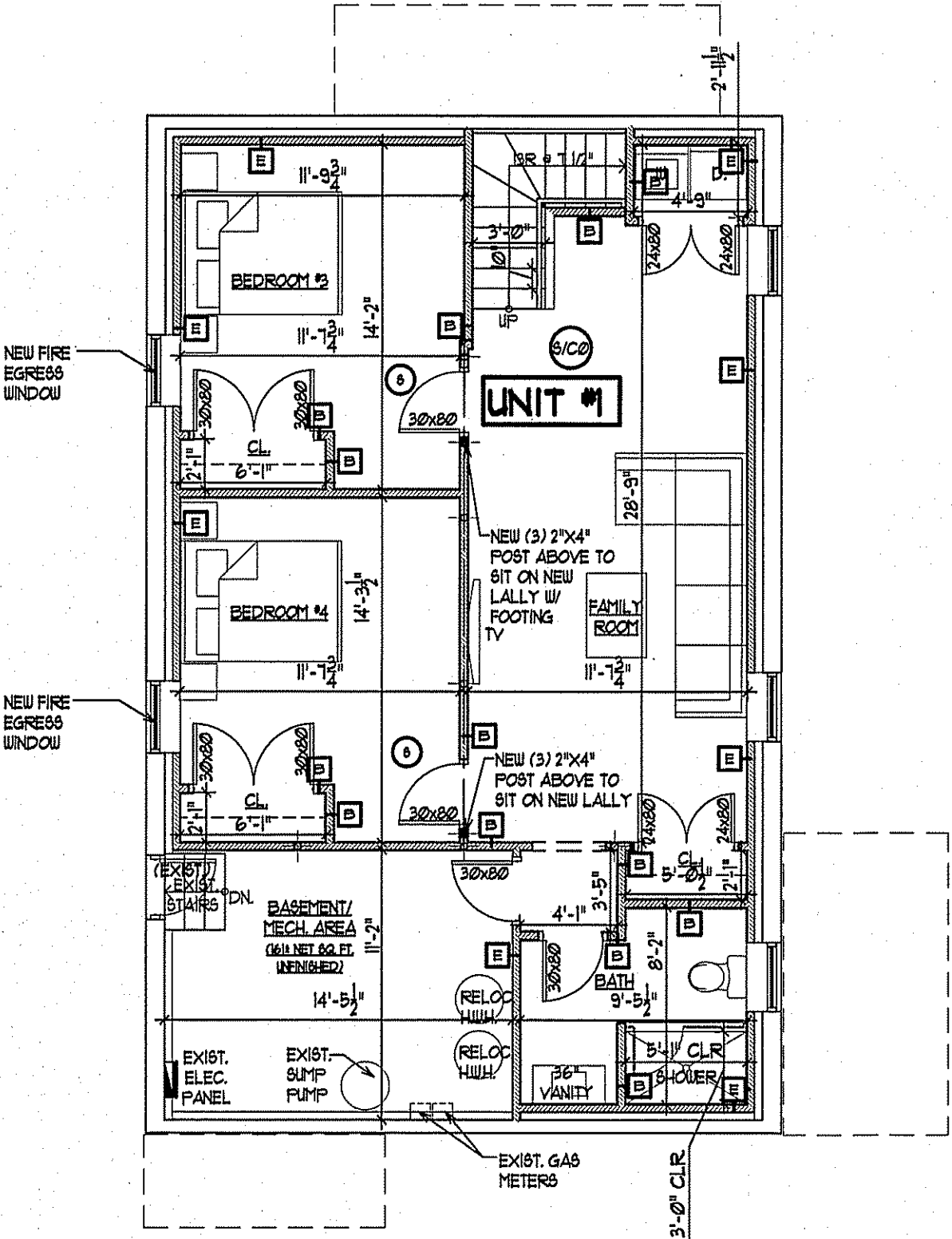
LEGEND:

- A EXTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B., 1/2" CDX FLY, AND SIDING
- B INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- C INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- D INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- E INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- EXISTING WALLS

LIFE SAFETY LEGEND

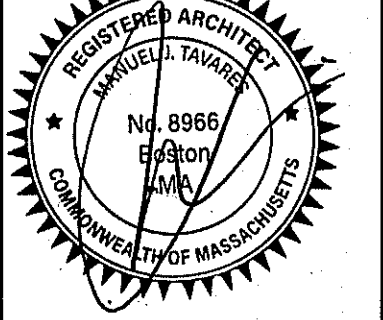
- 6 SMOKE DETECTOR
- S/CO COMBO SMOKE AND CARBON MONOXIDE DETECTOR

BASEMENT FLOOR PLAN: 140± NET SQ. FT.
GRAPHIC SCALE:



#	REVISIONS	DATE
1	VARIOUS CHANGES	06/11/2022

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Email: mitarchitects@verizon.net



PREPARED FOR:
MR. BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
BASEMENT FLOOR PLAN

SCALE: GIVEN	A=1
DATE: 06/16/2022	
DRAWN BY: J.T.	
CHECKED BY: MJT	
PROJECT #: 222-19	

GENERAL NOTES:

- 1. TYPICAL INTERIOR WALLS SHALL BE 2"x4" WOOD STUD @16" O.C. WITH 1/2" GYPSUM WALL BOARD, UNLESS OTHERWISE NOTED.
- 2. DIMENSIONS SHOWN ARE TO THE FACE OF STUD, UNLESS OTHERWISE NOTED.

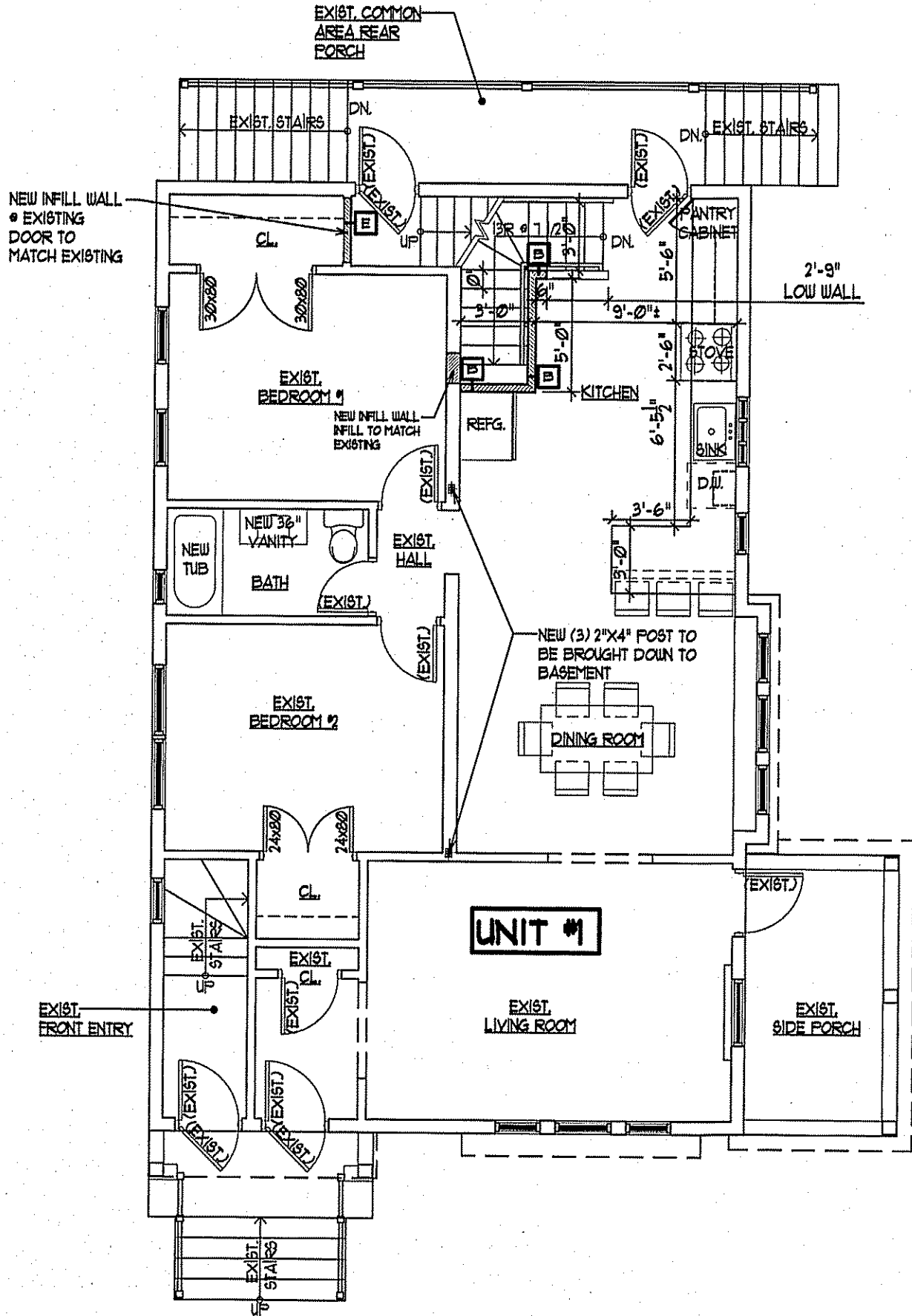
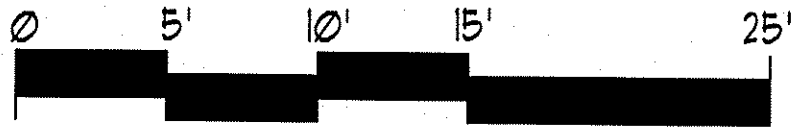
LEGEND:

- A EXTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B., 1/2" CDX FLY, AND SIDING
- B INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- C INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- D INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- E INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- EXISTING WALLS

LIFE SAFETY LEGEND

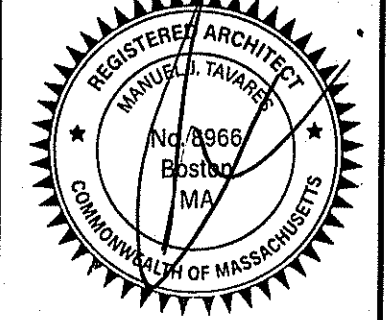
- S SMOKE DETECTOR
- S/CO COMBO SMOKE AND CARBON MONOXIDE DETECTOR

FIRST FLOOR PLAN: 999± NET SQ. FT.
GRAPHIC SCALE:



#	REVISIONS	DATE
1	VARIOUS CHANGES	06/11/2022

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Email: mltarchitects@verizon.net



PREPARED FOR:
MR BRANDON WOOLKALIS

ADDRESS:
**38-40 NEUPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
**FIRST FLOOR
PLAN**

SCALE: **GIVEN**

DATE: **06/16/2022**

DRAWN BY: **J.T.**

CHECKED BY: **MJT**

PROJECT #: **222-19**

A-1.1

GENERAL NOTES:

- 1. TYPICAL INTERIOR WALLS SHALL BE 2"x4" #16" O.C. W/ 1/2" GYP. W/ 1/2" GYP. WALL BOARD, UNLESS OTHERWISE NOTED.
- 2. DIMENSIONS SHOWN ARE TO THE FACE OF STUD, UNLESS OTHERWISE NOTED.

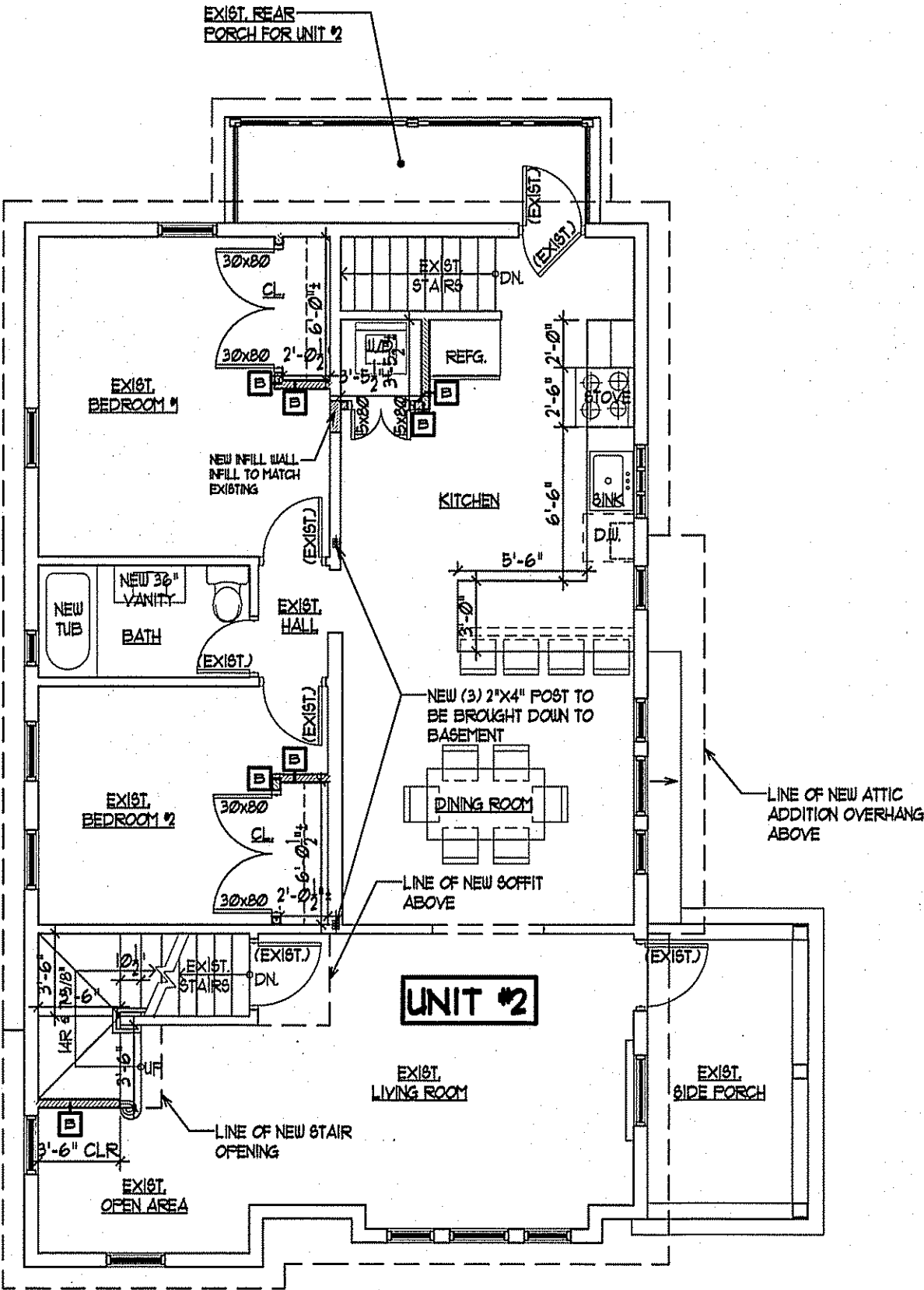
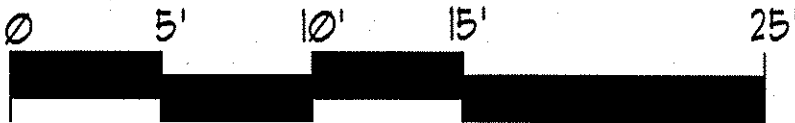
LEGEND:

- A EXTERIOR WALL: 2"x6" #16" O.C. W/ 1/2" G.W.B., 1/2" CDX FLY, AND SIDING
- B INTERIOR WALL: 2"x4" #16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- C INTERIOR WALL: 2"x6" #16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- D INTERIOR WALL: 2"x6" #16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- E INTERIOR WALL: 2"x4" #16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- EXISTING WALLS

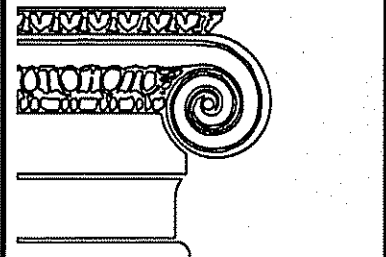
LIFE SAFETY LEGEND

- 6 SMOKE DETECTOR
- 6/CO COMBO SMOKE AND CARBON MONOXIDE DETECTOR

SECOND FLOOR PLAN: 1,046± NET SQ. FT.
GRAPHIC SCALE:

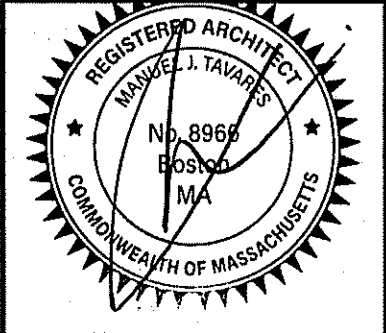


#	REVISIONS	DATE
1	VARIOUS CHANGES	06/11/2022



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Email: mitarchitects@verizon.net



PREPARED FOR:
MR. BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:
**SECOND FLOOR
PLAN**

DATE 06/16/2022	A-1.2
DRAWN BY J.T.	
CHECKED BY MJT	
PROJECT # 222-19	

GENERAL NOTES:

1. TYPICAL INTERIOR WALLS SHALL BE 2"x4" WOOD STUD @16" O.C. WITH 1/2" GYPSUM WALL BOARD, UNLESS OTHERWISE NOTED.
2. DIMENSIONS SHOWN ARE TO THE FACE OF STUD, UNLESS OTHERWISE NOTED.

LEGEND:

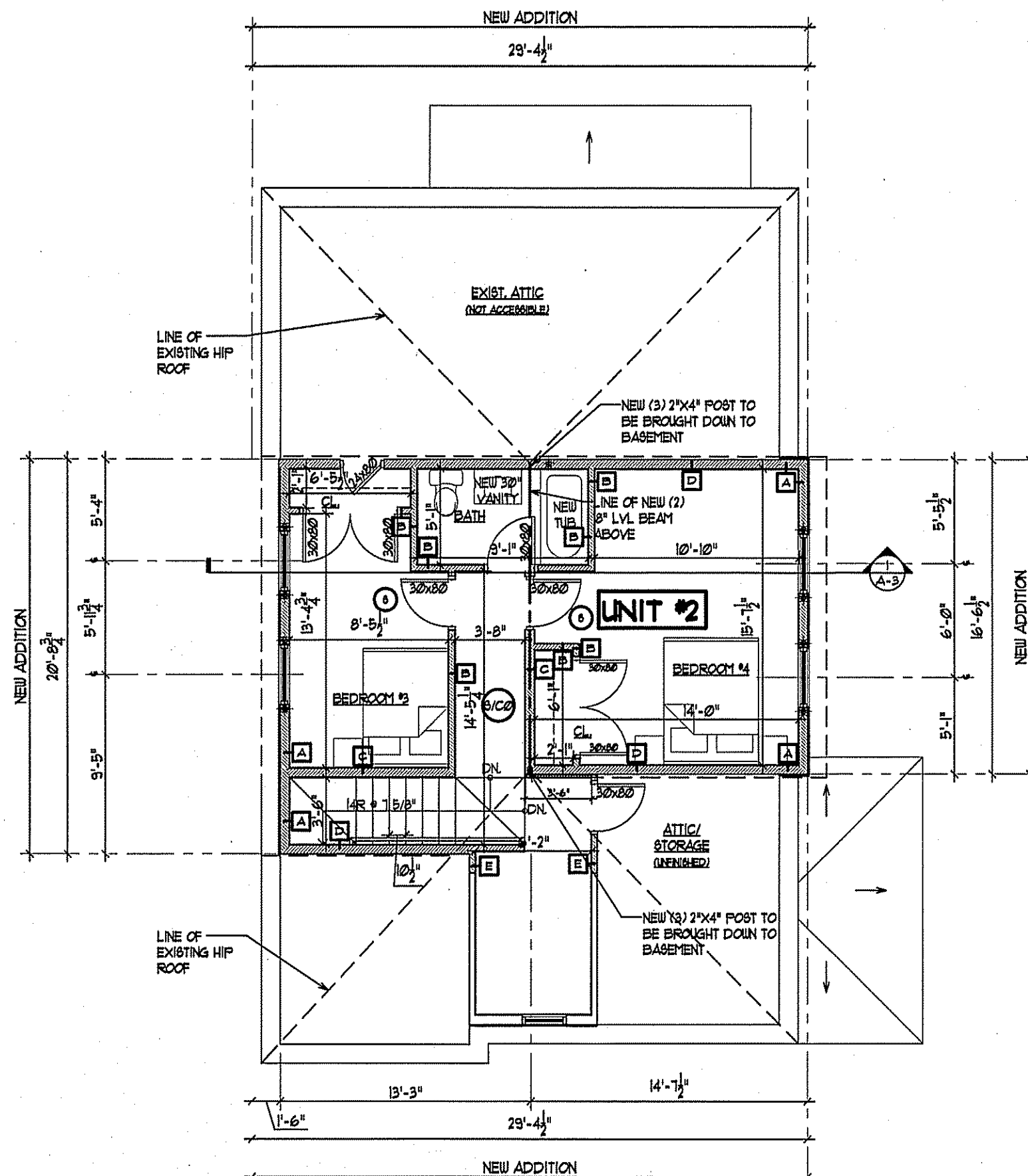
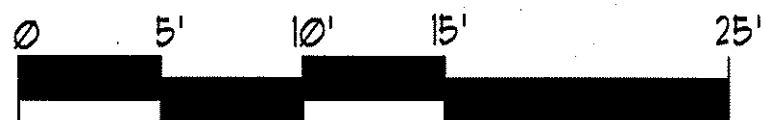
- A EXTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B., 1/2" CDX FLY, AND SIDING
- B INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- C INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON BOTH SIDES
- D INTERIOR WALL: 2"x6" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- E INTERIOR WALL: 2"x4" @16" O.C. W/ 1/2" G.W.B. ON ONE SIDE
- EXISTING WALLS

LIFE SAFETY LEGEND

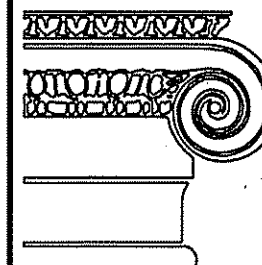
- S SMOKE DETECTOR
- S/CO COMBO SMOKE AND CARBON MONOXIDE DETECTOR

ATTIC FLOOR PLAN: 497± NET SQ. FT.

GRAPHIC SCALE:

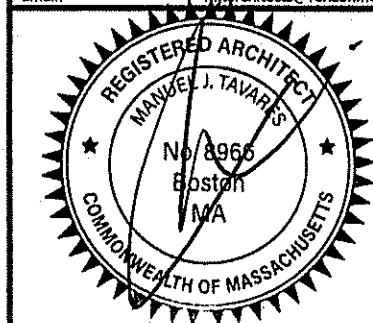


#	REVISIONS	DATE
1	VARIOUS CHANGES	06/17/2022



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Phone: 781-595-8400 Fax: 781-595-8300
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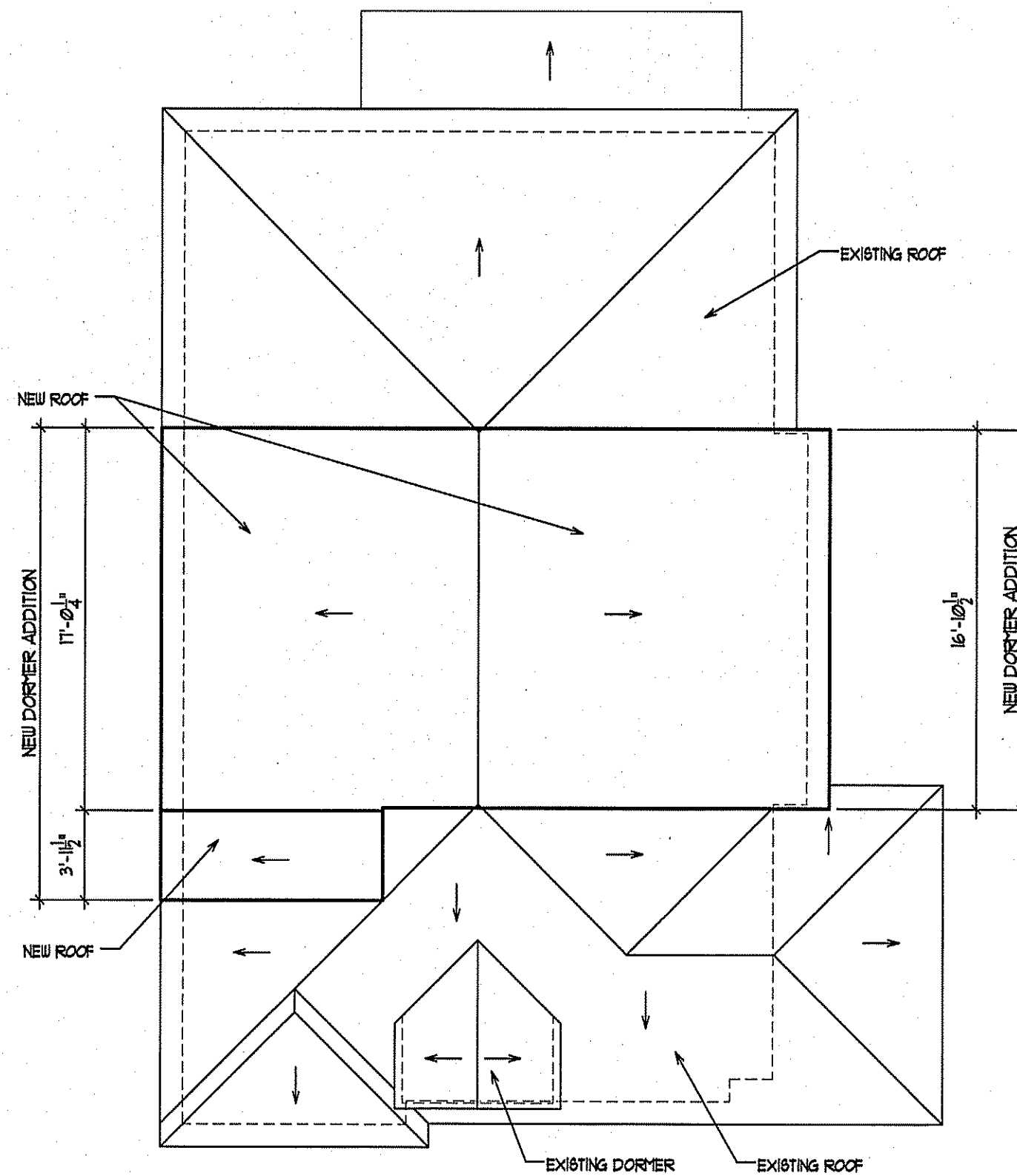
PREPARED FOR:
MR BRANDON WOOLKALIS

ADDRESS:
**38-40 NEWPORT STREET
ARLINGTON, MA**

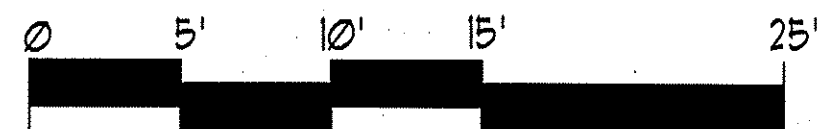
DRAWING TITLE:
**ATTIC FLOOR
PLAN**

SCALE:	GIVEN
DATE:	06/16/2022
DRAWN BY:	J.T.
CHECKED BY:	MJT
PROJECT #:	222-19

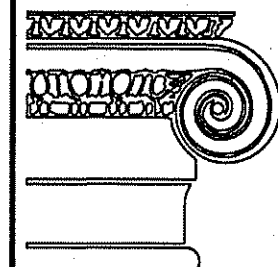
A-1.3



ROOF PLAN
GRAPHIC SCALE:

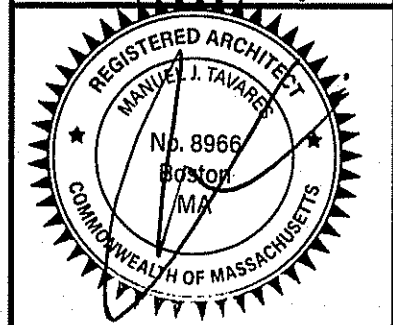


#	REVISIONS	DATE
1	VARIOUS CHANGES	06/17/2012



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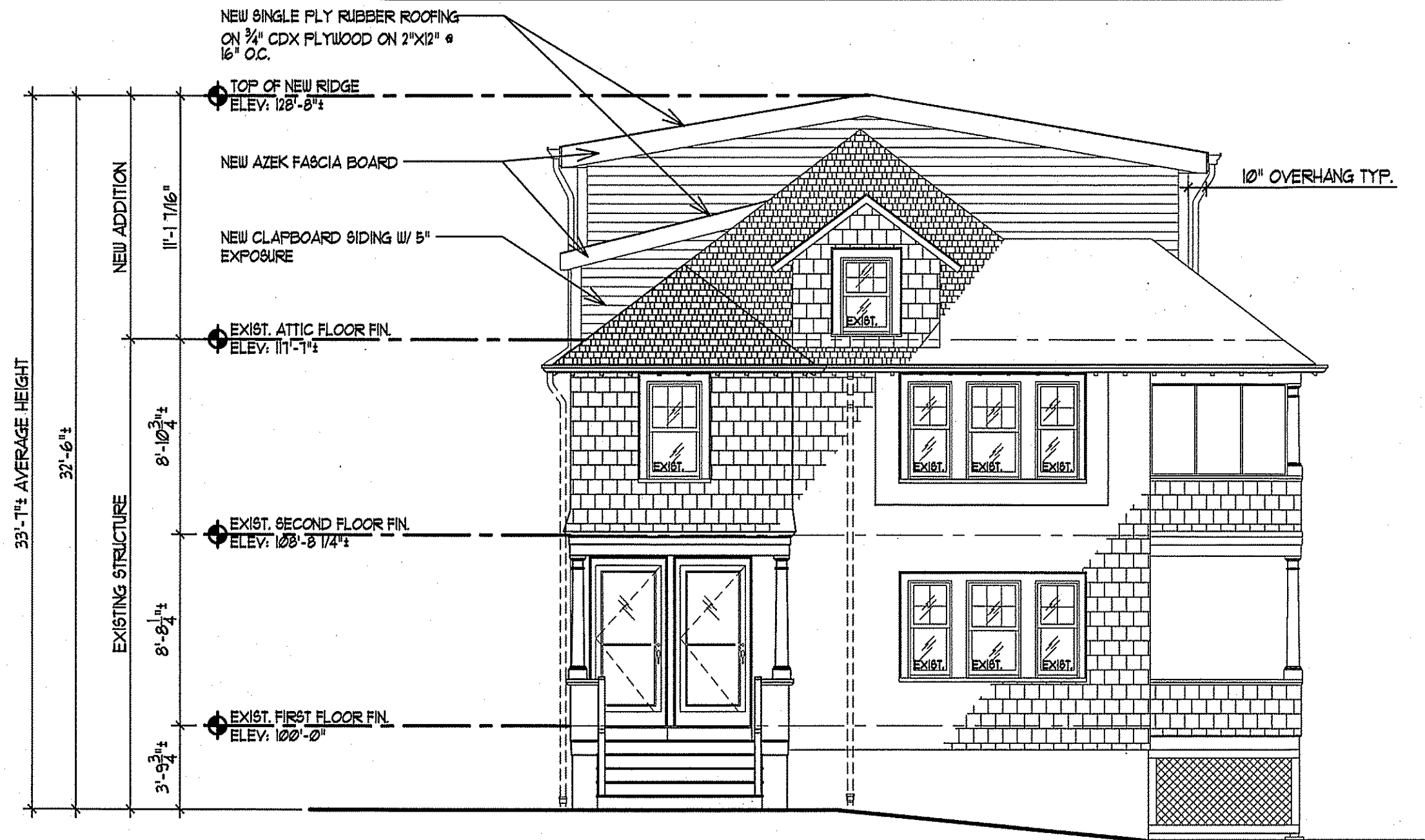


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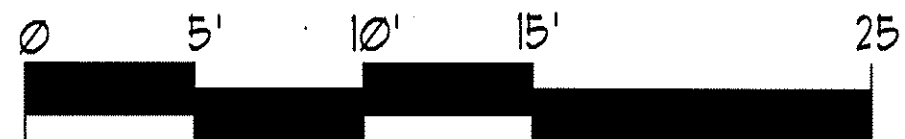
DRAWING TITLE:
ROOF PLAN

SOULS GIVEN	A-1.4
DATE 06/16/2012	
DRAWN BY J.T.	
CHECKED BY MJT	
PROJECT # 222-13	

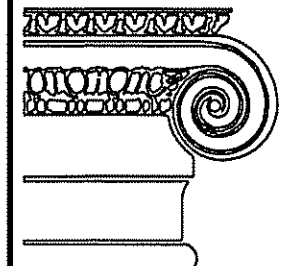


WEST ELEVATION:

GRAPHIC SCALE:

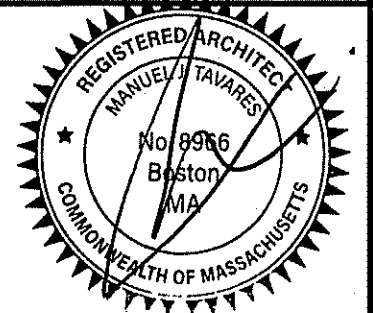


#	REVISIONS	DATE
1	VARIOUS CHANGES	06/17/2022



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DRAWING TITLE:

WEST
ELEVATION

SCALE:

GIVEN

DATE:

06/17/2022

DRAWN BY:

J.T.

CHECKED BY:

MJT

PROJECT #:

222-19

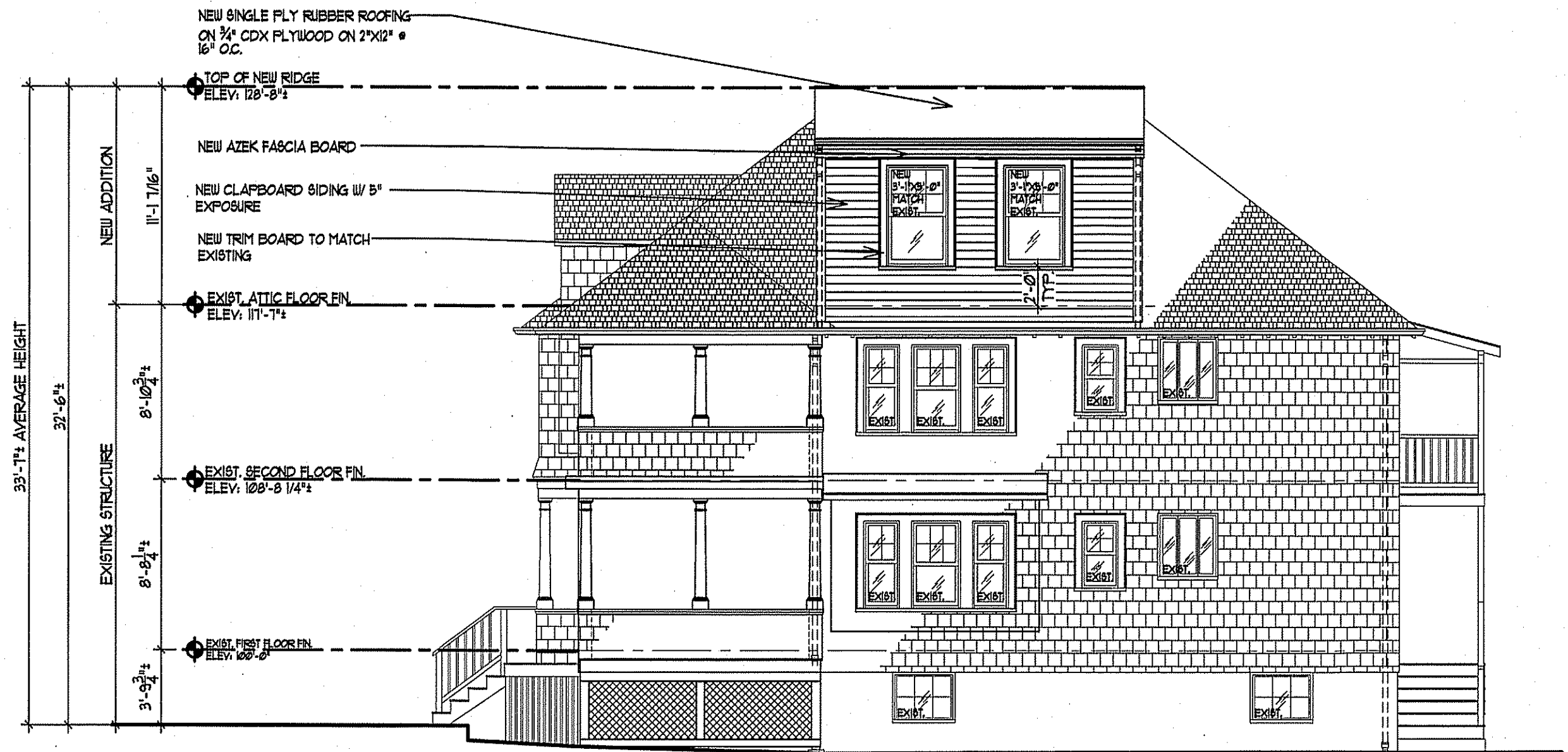
A-2

1

WEST ELEVATION:

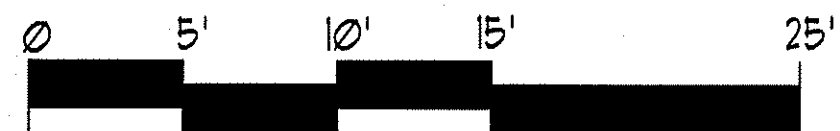
1/8" = 1'-0"

@ FRONT ELEVATION



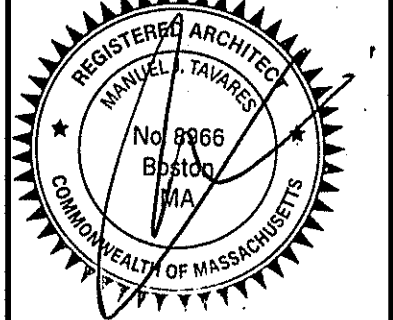
SOUTH ELEVATION:

GRAPHIC SCALE:



#	REVISIONS	DATE
1	VARIOUS CHANGES	06/17/2022

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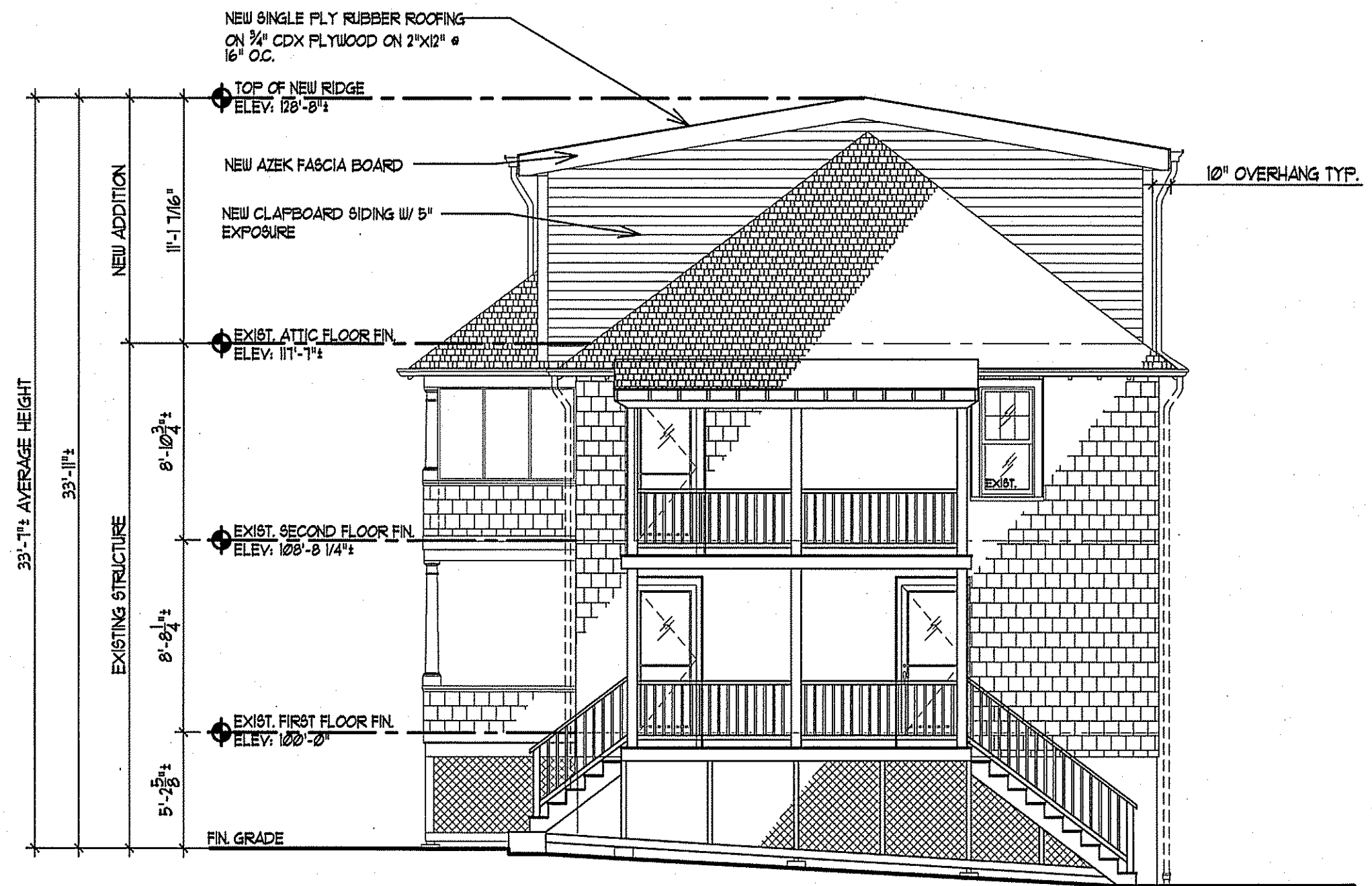
PREPARED FOR:
MR. BRANDON WOOLKALIS

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 ARLINGTON, MA**

DRAWING TITLE:
**SOUTH
 ELEVATION**

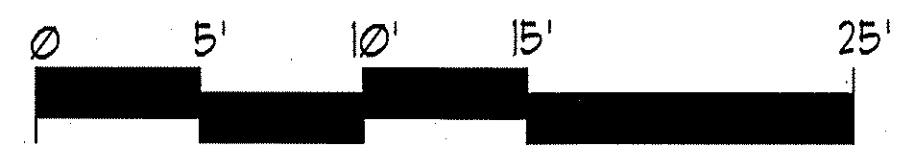
DATE: 06/17/2022	A-2.1
DRAWN BY: J.T.	
CHECKED BY: MJT	
PROJECT #: 222-19	

1	SOUTH ELEVATION:
1/8" = 1'-0"	@ RIGHT SIDE ELEVATION



EAST ELEVATION:

GRAPHIC SCALE:



#	REVISIONS	DATE
1	VARIOUS CHANGES	06/11/2022

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ADDRESS:

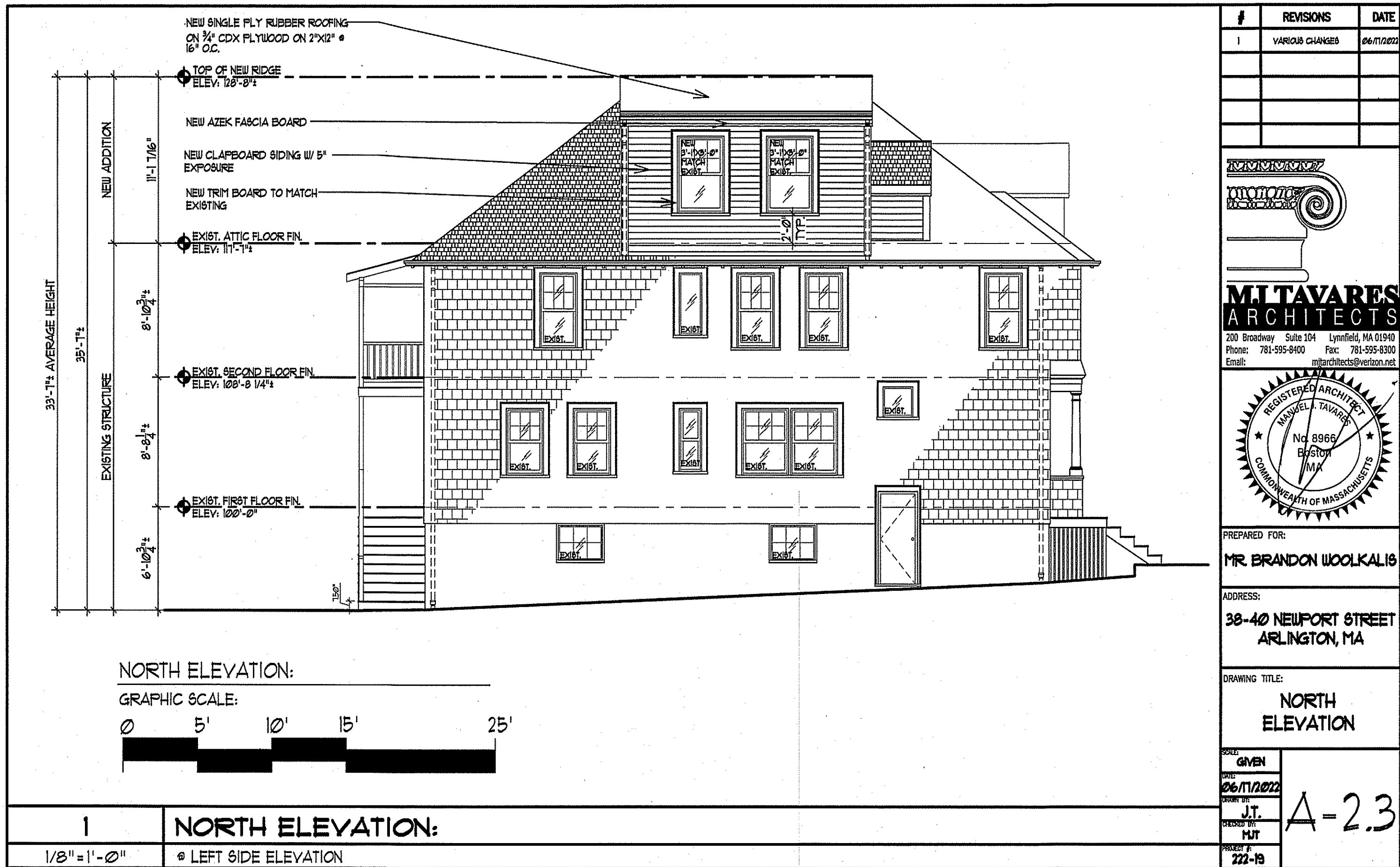
38-40 NEWPORT STREET
ARLINGTON, MA

DRAWING TITLE:

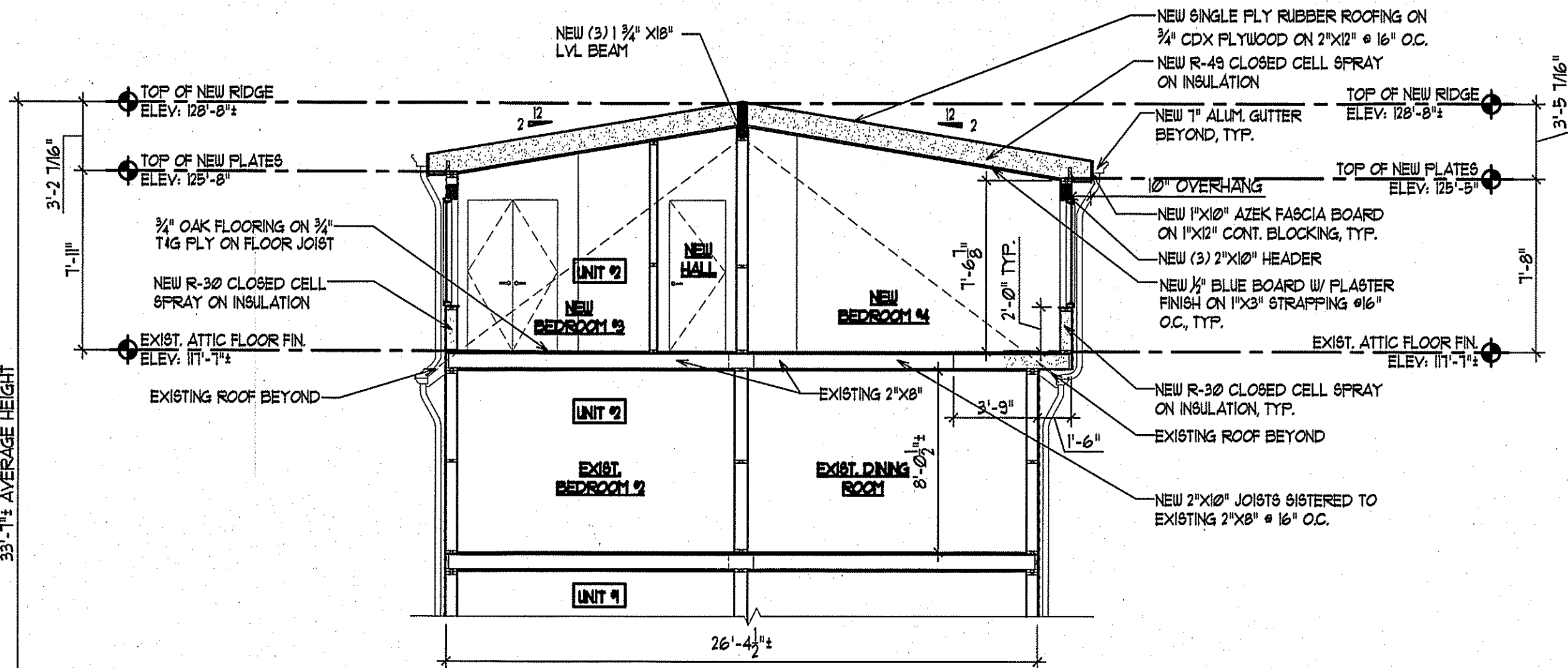
EAST ELEVATION

<p>SCALE</p> <p>GIVEN</p> <p>DATE</p> <p>06/11/2022</p> <p>DRAWN BY</p> <p>J.T.</p> <p>CHECKED BY</p> <p>MJT</p> <p>PROJECT #</p> <p>222-19</p>	<p>A-2.2</p>
--	---------------------

1	EAST ELEVATION:
1/8" = 1'-0"	REAR ELEVATION

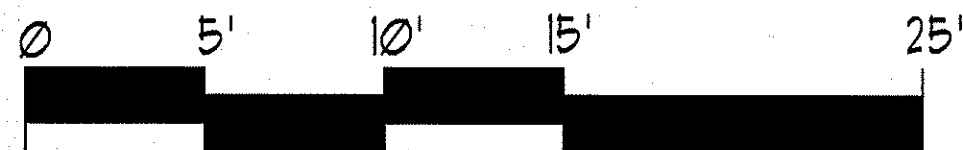


33'-7 1/2" AVERAGE HEIGHT

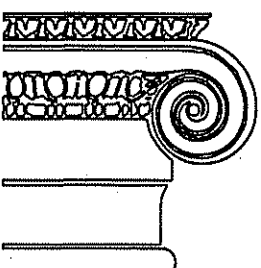


PARTIAL BUILDING SECTION

GRAPHIC SCALE:

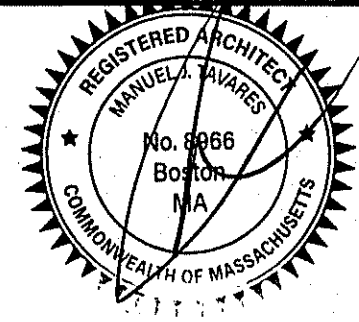


#	REVISIONS	DATE
1	VARIOUS CHANGES	06/11/2022



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**38-40 NEWPORT STREET
ARLINGTON, MA**

DRAWING TITLE:

**PARTIAL
BUILDING SECTION**

SCALE:

GIVEN	A-3
DATE:	
06/11/2022	
DRAWN BY:	
J.T.	
CHECKED BY:	
MJT	
PROJECT #:	
222-19	